Our Parliamentary Heritage

Revised and reprinted by:

This exhibit was inspired by celebrations held at Westminster in England in 1965, commemorating the 700th anniversary of Parliament.

Since the Legislative Assembly in Ontario is based on the Parliament at Westminster, it was felt fitting that the province establish a permanent exhibit to show just how our current system of government evolved.

The exhibit opened in September, 1967. On this month 175 years ago Lieutenant-Governor John Graves Simcoe opened the first provincial parliament, which held its first session at Niagara in Upper Canada.

This display is a demonstration of the parallel growth of the constitution and our parliamentary system. It was designed to enrich the visitor's knowledge and appreciation of what has become one of the most admired and imitated systems of government in the world.

Because the story of our government is so extensive, and because so much material is available, only the most significant items have been selected to illustrate the subject.

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Room 1

Room 2

"The Royal Arms — Symbol of the Crown"
The use of armorial bearings really began on a grand scale in the western world, although ancient peoples were known to have used various totemic devices. Heraldry came into its own during mediaeval times when warriors, almost totally obscured by the armour they wore into battle, wished to display on their person some device by which they would become easily recognizable. Paralleling this was the development of the use of seals bearing arms to authenticate official and legal documents. Since they are indeed the marks that made documents official, these arms are important in the history of law and parliament.

As far as the sovereigns of England are concerned, while it seems highly probable that monarchs previous to Richard I used heraldic devices, the first of which we have a record is the three gold lions or leopards set on a background of red.

1.   Arms adopted by King Richard I in 1195 and used by his successors until 1340.

2.   In 1340, King Edward III, who claimed the Crown of France through his mother, assumed the style of King of France and England, and accordingly adopted as his Arms a quartered coat of the Arms of France and England. The Arms of France at this time were golden fleurs-de-lys set on a blue background and known as "France Ancient".
About 1348 Edward founded the Order of the Garter, and both the sovereigns and members of the Order have, from that time, had the right to include a representation of the Garter as part of their Arms.

3.   During the fourteenth century a new form of the Arms of France was adopted. It comprised three golden fleurs-de-lys instead of an indefinite number, in reference to the Holy Trinity. This new version, known as "France Modern", was adopted as part of the English Arms about 1405. This form was used by the sovereigns of England until 1603.

4.   During the fourteenth century the use of heraldic beasts as supporters to the shield bearing the Arms came into fashion. Those portrayed were adopted by King Henry VI and are representations of antelopes.

5.   The two white lions were used as supporters by King Edward IV who reigned from 1461 to 1483.

6.   The white lion and white hind were the supporters of King Edward V who reigned for three months during 1483.

7.   The white boar was both the Badge and Supporter of King Richard III, 1483-85, who used it both before his accession, when he was Duke of Gloucester, and when he was king.

8.   The red dragon came into use on the accession of King Henry VII, the first monarch of the House of Tudor. It is in allusion to his Welsh ancestry. It was also used by his son, Henry VIII, and both used in addition the white greyhound.

9.   Henry VIII also used the English lion as a supporter. This, with the addition of a crown, has remained the English supporter since the reign of his daughter, Elizabeth I.

10.   Shortly after Mary I became Queen of England, she married, in 1554, Philip of Spain (King of Spain from 1556) and their Arms were formed on one shield. The supporters are Philip's eagle and Mary's lion.

11.   These are the Arms adopted by Queen Elizabeth I. A crest and helmet have been added and a motto "Semper Eadem" (Always the Same). It was also used by Mary II and Anne.

12.   After the accession of James I, the first Stuart, the unicorn, the Scottish Royal Beast, was added as a supporter. James was also King of Scotland. The Arms of Ireland, the golden harp, although used separately earlier, was added at this time, as was the Scottish lion.

13.   The Arms portrayed here are those borne by William III (of Nassau) and Mary II, who reigned as joint sovereigns. The basic design is that used by the Stuarts. However, the ancestral shield of Nassau has been superimposed in the centre.

14.   When Queen Anne ascended the throne she reverted to the old Stuart Arms, although she did use Queen Elizabeth's motto "Semper Eadem".

15.   In 1707 on the legislative union of England and Scotland, Queen Anne adopted Arms for the United Kingdom of Great Britain.

16.   In 1714, George, Elector of Hanover, ascended the British throne. His Arms, while using the old design, had added to the Shield the Arms of Hanover. This design was used until 1800.

17.   With the union of Great Britain and Ireland in 1801, the style of King of France was dropped. The design of the Shield was then changed to include the Arms of England, Scotland, Ireland and Hanover, while those of France were omitted.

18.   In 1814 the Congress of Vienna erected the former Electorate of Hanover into a kingdom. Since the King of England was also at that time ruler of Hanover, the British Coat of Arms was amended slightly so that the Hanoverian Arms were surmounted by a royal crown rather than, as previously, by an electoral bonnet.

19.   When Queen Victoria ascended the throne, the crown of Hanover, descending in the male line, was separated from that of the United Kingdom. The Royal Arms were adjusted accordingly, omitting those of Hanover and have remained the same to the present day.

Introduction

This section is devoted to demonstrating how the parliamentary system of government emerged in England. The first clear-cut meeting of a representative type of body did not take place there until 1265, when Simon de Montfort called together representatives not only of knights from the shires or counties, but also of citizens or burgesses from a number of boroughs, towns and ports. Initial reference is made, however, to the earlier royal councils of both Anglo-Saxon and Norman times, since the king then legislated with the counsel and consent of his "wise men". In fact, the "Witan" of Saxon times, the gathering of the chief men of the realm, largely became the Anglo-Norman "Commune Concilium" of the king, his lords and advisers, to which, by about Simon de Montfort's day, the term "parlement" or "parliamentum" was becoming applied. And thereafter parliaments of king, lords and commons began meeting with increasing regularity, and evolving the character and rights of our present representative system.

To show that process, this section of the exhibit covers a time span of English history from the Anglo-Saxon period before 1066 to the early eighteenth century, when England and Scotland were united as one Kingdom of Great Britain in 1707.

It illustrates by means of historical documents how the basic system of free government which we have inherited in Canada first became established in Britain. While lack of space precludes the incorporation of copies of every important document, those described by William Pitt, Earl of Chatham in 1770 as forming the "Bible of the English Constitution" namely Magna Carta, the Petition of Right (1628) and the Bill of Rights (1689), are reproduced here.

1. Early reference to a "Witan", in the preamble to Ine's Laws

Ine was king of the West Saxons who were located in the area of England known as Wessex. During the course of his turbulent reign (688-726), he produced a written code of laws which is still preserved. In the preamble is the earliest known reference to a "Witan" or "Witanagemot" (Council of the King). In no sense a popular assembly, it was composed mainly of the important nobles and ec-

clesiastics of the realm and was the forerunner of the later Anglo-Norman "Commune Concilium".

2. A report of the early Anglo-Saxon Councils, or "Witans"

This is contained in one of England's oldest manuscripts "Ecclesiastical History of the English Nation", written in 731 A.D. by Baeda, a priest, commonly known as the "Venerable Bede".

3. Edward "The Confessor" and Westminster

The pious Edward, son of Aethelred II ("The Unready") and Emma, daughter of Richard, Duke of Normandy, ruled England from 1042 to 1066. At Westminster, then outside London, he began the building of the Abbey and also erected a palace there. His brother-in-law, Harold, the last of the Saxon kings, was killed in the Battle of Hastings in 1066, struggling against William of Normandy, who now claimed the English throne. William kept his seat of government at Westminster, where later parliaments would meet and begin the Norman era of better organized government.

4. Earliest surviving Curia Regis Rolls

The "Curia Regis" of King's Court was evolved by the early Norman monarchs as a body of principal adminstrators who formed an advisory council and a court of law for the king. At times they were also sent to the counties to collect taxes and hear pleas. It was composed of some of the chief men of the realm and when it sat for financial purposes, it was known as the "Scaccarium" or Exchequer. The Chancellor of the Exchequer in later times would remain one of the most important figures in the government.

The document displayed is a record of the Curia Regis' proceedings dating from the reign of Richard I.

5. Richard I (Coeur de Lion) 1157 - 1199

Since Richard was so much absent from England on the Crusades, government by the council tended to be carried on more on its own, and its procedures were built up.

Magna Carta

This document, the Great Charter of English Liberties, was first issued by King John, Richard's successor, in June, 1215, when his

Magna Carta 1215 — See section 1, No. 5

powerful barons or lords rose in revolt and compelled him to meet demands that their rights be recognized. The Charter was subsequently re-issued in October, 1216, substantially altered in 1217 and 1225, incorporating further revisions, and in its final form, in 1225. This final copy was confirmed by Edward I in 1297 and placed on the first roll of English statutes. It sets forth rights that more than barons might claim, since it makes clear that the king's power is limited by law.

The originals of the three documents displayed rest in the British Museum. These are:

(i) The Articles of the Barons of 1215 "Ista sunt capitula quae Baronnes petunt et dominus Rex concedit" — "These are the articles that the Barons seek and the Lord King concedes". This list of demands, agreed to by John, was expanded in Magna Carta.

(ii) Exemplification of John's Magna Carta. This is one of the existing copies of the Great Charter thought to have been sealed by John at Runnymede in the presence of his determined barons on 15 June, 1215. It was not done in parliament, but in time the rights embodied in the Charter would require the king to govern with parliament in order to gain consent for taxes.

(iii) Exemplification of Henry III's re-issue of Magna Carta, 1225. This, the final form of Magna Carta, was, after several re-issues and re-confirmations, enrolled on the earliest "great" roll of the Statutes, probably during the reign of Edward I, by which time parliament and its statutes or enactments had become a prominent part of government.

Seals

The copies of the seals appearing in the exhibit are those of:

(i) Robert FitzWalter, Lord of Dunmow, who was appointed general of the baronial forces opposing John. He was given the title "Marshal of the Army of God and of the Holy Church".

(ii) Stephen Langton, who had been at first refused as Archbishop of Canterbury by King John and later accepted. He assumed the position of political leader of the opposition to the King. Langton acted as one of the principal intermediaries in reaching terms between the King and the barons.

(iii) King John. While many popular histories and illustrations refer to John signing Magna Carta, in actual fact he placed his seal on the document as signifying his acceptance, the regular practice in those days when few but clerics could write.

(iv) King Henry III. Henry, John's successor, re-confirmed this final version in 1225 and placed upon it his seal.

6.   Writ of Summons to Simon de Montfort's Parliament of 1265

Simon a great baron, led another revolt against the king, this time Henry III, and called a parliamentary meeting himself. This copy of the summons was addressed to the Bishop of Durham and dated 14 December, 1264. It contains lists of bishops, great lords or magnates, and a note to the effect that sherriffs were required to summon two knights from each county. The final entry notes that two citizens have been summoned from each borough. The outstanding significance of this parliament is that for the first time in English history "Lords" and "Commons" met together, setting a precedent followed closely in later years.

7.   Earliest Surviving Original Writ of Summons and Return, 1274

An important example of this type of document, it is addressed to the Sheriff of Buckinghamshire and Bedfordshire and summons representatives of cities and boroughs to attend the parliament of Easter, 1275. It also included representatives of the merchants, since this was the parliament in which the first royal taxes on wool were to be imposed, and the wool trade and its merchants were already of much importance in England.

8.   Edward I (1239 - 1307)

Edward, the ablest of the Plantagenet Kings of England, came to the throne in 1272. During his reign he made effective use of parliament, thus helping to evolve and confirm its practices and its importance in the life of the nation.

9.   The oldest known meeting-place of the Commons at Westminster, 1343

This notation appears on the Chancery Parliament Rolls, 17 Edward III. The opening was held in the Painted Chamber of the Palace of Westminster. The Lords were assembled in

the White Chamber the following day. The Commons alternated between the Painted Chamber and the Westminster Abbey Chapter House. In time reference would come to be made to the "House of Lords" and the "House of Commons" — the two chambers of parliament.

10.   King Edward III (1312 - 1377)

Edward III launched the gruelling Hundred Years War with France. His consequent need for money to carry on the war also helped the evolution of parliament, since it was called repeatedly so that it might grant funds and levy taxes, a particular duty of the Commons. In return, parliament brought in many "bills", or requests for laws, which on the King's assent became "acts" or Statutes of Parliament.

11.   First reference to a Speaker of the Commons in the Parliament Rolls, 1377

The reference is contained in Chancery Parliament Rolls, 51 Edward III and notes "Monsieur Thomas de Hungerford, chevalier qi avoit les paroles pour les communes Dengleterre". The Speaker would be the chief figure in the Commons, presiding over its deliberations and reporting them to the King.

12.   Henry VI (1421 - 1471)

13.   Parliamentary Privilege : Freedom from Arrest, 1433

In its development parliament began to gain particular rights or privileges which would make it stronger in itself and help protect it against the king's anger. This Statute, 11 Henry VI, c. 11, gave some official sanction to a privilege apparently claimed by members of the Commons when attending sessions.

14.   The Lords and Commons in 1446

This illustration forms part of the original charter given to Eton College in England. It is the earliest known portrayal of parliament, already a well developed institution.

15.   King Henry VIII (1491 - 1547)

16.   Henry VIII in Parliament. A contemporary illustration

17.   Parliamentary Privilege: Freedom of Speech, 1512. (Strode's Case)

This Statute (4 Henry VIII, c. 8) declared in a general way that any proceedings against any Member of Parliament for speaking in parliament should be void and of no effect. The circumstances leading to the passing of this legislation concerned the arrest by the Stannery Court of a Member named Strode, who had proposed certain Bills in parliament which would have regulated the privileges of tin miners, a matter which concerned the Stannery Court.

18.   The First Journal of the House of Commons, 1547

19.   Queen Elizabeth I (1533 - 1603)

20.   Elizabeth in Parliament

21.   Parliamentary Privilege: Punishment for Contempt, 1581. (Hall's Case)

In 1581 Arthur Hall, M.P. for Grantham, published a book severely critical of the authority and power of the House. By unanimous consent of parliament he was expelled, fined and committed to the Tower of London. This drastic move by modern standards still indicated that contempt of parliament, like contempt of court, was an affront not to be suffered by that august body.

22.   Disputed Elections. (Norfolk Case, 1586)

The Commons now claimed the right to decide all questions relating to the election of its members. Previously this appears to have been a function of the Sovereign in Council. However, in 1586 the Commons successfully opposed Queen Elizabeth I on the subject of a disputed election in the county of Norfolk. The precedent made here was followed frequently in following years and thus became established.

23.   King James I (1566 - 1625)

24.   House of Commons, 1624

25.   James in Parliament

26.   The Gunpowder Plot of 1605: A Letter of Warning

This plot to blow up the Houses of Parliament with kegs of gunpowder in the vaults below was disclosed through an anonymous letter, and the plotters, including Guy Fawkes arrested. English children still mark this colourful incident in the history of parliament by burning "Guys" and lighting fireworks every Guy Fawkes Day, November 5.

27. **Illustration depicting the discovery of the plot to blow up the Houses of Parliament**

28. **Protestation of the House of Commons, 18 December, 1621. (original and printed version)**

During the reign of James I, 1603 - 1625, relations between the Commons and the king deteriorated quickly. James claimed that parliamentary privilege existed by his sufferance. The Commons, in reply, produced this statement, declaring that the privileges of parliament are the ancient and undoubted birthright of every British subject. James tore out with his own hand this entry in the Commons Journal and dissolved parliament, but a contest between Crown and Parliament was fast coming to a head.

29. **King Charles I (1600 - 1649)**

30. **Houses of Parliament in 1641**

31. **The Petition of Right, 1628**

The over-all effect of this document, one of the cornerstones of the British Constitution, was curtailment of the Royal Prerogative, or the King's power of action beyond the consent of parliament. Henceforth, the King was unable to billet soldiers, declare martial law in time of peace, impose taxation or imprisonment without the authority of parliament. After Charles I gave his assent, it became a Statute (3 Charles I, c. II). Charles, however, thereafter tried to rule without calling parliament, and actually managed to do so from 1629 to 1640.

32. **Charles I demanding the five impeached members**

The well known picture depicts King Charles in the House of Commons on January 4, 1642 demanding arrest of the five members he had indicted for treason. This attack on parliamentary privilege, the culmination of a new series of disputes of king and parliament, made civil war between Royalist and Parliamentary factions almost inevitable.

33. **John Pym (1584 - 1643)**

Born in Somersetshire, Pym entered parliament and was a leading supporter of the Protestation of 1621 and the Petition of Right, 1628. He became an outstanding leader of the parliamentary party in opposition to the King, and was one of the five members impeached in 1642 for treason. At the outbreak of the Civil War, he was the chief organizer who kept the parliamentary armies in the field and negotiated the highly successful alliance with the Scots, who were resisting the King's attacks on their own Presbyterian Church. He died in December, 1643 and was buried in Westminster Abbey.

34. **John Hampden (c. 1595 - 1643)**

Born in Buckinghamshire, Hampden entered parliament in 1621. A staunch supporter of Sir John Eliot and later John Pym, two leaders in opposition to the policies of James I and Charles I, he led the fight against taxation without parliamentary consent. One of the five members impeached by Charles I in 1642, he was killed in action during the early stages of the Civil War.

35. **Oliver Cromwell (1599 - 1658)**

36. **The Second Great Seal of the Commonwealth, 1651. These designs replaced the traditional Royal Seals previously in use since the Norman Conquest**

37. **Journal of the Trial of Charles I**

When Oliver Cromwell, leading Parliament's ''New Model Army'', decisively defeated the Royalist forces, Charles surrendered himself to the Scots in May, 1646. They, in turn, handed him over to the English parliament in January, 1647. He was abducted by the Army shortly thereafter. A special court appointed by parliament tried him and condemned him to be beheaded as a tyrant and public enemy to his people.

38. **Death Warrant of Charles I**

The execution of King Charles I took place before Whitehall Palace on January 30, 1649, but during the rule of the Commonwealth or republic that followed, parliament itself was replaced in power by an army dictatorship under Oliver Cromwell. Hence the people came to wish for the return of the old institution of both king and parliament and its rule by law. After Cromwell's death in 1658, events moved toward the restoration of the crown, with Charles II, son of the executed king as ruler.

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39. A Dutch illustration of the beheading of Charles I, 1649

40. Act Legalizing the Convention Parliament of 1660

The "Convention Parliament" was elected in 1660 without the King's writ, and negotiated for the return to the throne of Charles II. After this was accomplished, it was necessary for a new legally-elected parliament, assembled in 1661, to pass an Act confirming the validity of the legislation passed by the preceding "Convention Parliament". The work of the "Convention Parliament" clearly indicated that henceforth king and parliament would be partners in ruling the country. The clock had not been put back to the days of Charles I ruling on his own.

41. King Charles II (1630 - 1685)

42. The Habeas Corpus Act, 1679

Although the general principles of the law regarding illegal imprisonment had been settled by the time of the Restoration in 1660, it was thought necessary to provide new and clearer legislation on the matter. The resulting Act (31 Car. II, c. 2) very briefly, enabled any person, except those charged with treason or a felony clearly expressed in the warrant of commitment, to obtain a writ of habeas corpus so that he could not be held in prison without being brought to court — a vital individual right.

43. Draft instructions from the Earl of Shaftesbury to his supporters, 1681

About this time political parties began to emerge in parliament, and the terms "tory" and "whig" were used to designate the opponents and supporters of a bill designed to exclude the Duke of York (later James II) from being heir to his brother, Charles II, on the throne of England. Shaftesbury was the leader of the "whigs" who sought, unsuccessfully, to exclude James, and his instructions are to his supporters, members of the parliament meeting at Oxford in 1681. Shaftesbury was later indicted for treason by Charles II, but a London grand jury dismissed the charge and parties continued to grow.

44. The Act of Toleration, 1688

It was not until 1677 that an Act of parliament forbade the burning of heretics, and im-

mediately after the Revolution of 1688 which deposed James II, further legislation (1 Wm. and Mary, c. 18) softened penal restrictions directed towards Protestants outside the established Church of England.

45. The Declaration of Rights, 1688-89

This document, which came out of the Revolution of 1688 against the arbitrary James II, ranks as one of the most important constitutional documents in English history. The copy displayed is of the draft made by both Houses of Parliament, including amendments made in the House of Lords. In it are affirmed the various rights of British subjects, not least of which are "the Freedom of Speech and Debates, or Proceedings in Parliament". It ends by declaring Prince William of Orange and Princess Mary to be King and Queen.

46. The Bill of Rights, 1689

This famous bill was based primarily on the preceding Declaration of Rights. Several items were added, however, including two important clauses — one confirming the Royal succession to Protestants, and the other preventing the use by the Crown of power to dispense from obeying the laws of the land. The result was to establish parliament's supremacy decisively over the Crown, by regulating its succession and preventing it acting other than by laws made in parliament.

47. King William III (1650 - 1702)

48. Queen Mary II (1662 - 1694)

49. The Coronation of William and Mary

50. The Scotch Militia Bill, 1707

Today it is a generally accepted principle that if a bill is passed by both Houses of Parliament, the Royal Assent necessary before it becomes law is given automatically. This bill concerning the "Scotch Militia" was significant as the last measure vetoed by a monarch, by Queen Anne in 1707. Thereafter the royal veto lapsed. The year 1707 also witnessed the Act of Union. Since 1603, England and Scotland had been under one monarch, but now they came under one parliament, by the Union Act that established the United Kingdom of Great Britain.

51. Queen Anne (1664 - 1714)

"The Establishment of Parliamentary Institutions in Canada"

From the 1750's onward, the basic outlines of the British parliamentary system began to develop in those British colonies in North America which would one day form parts of Canada. That is to say, there would emerge in each a Governor (or Lieutenant-Governor or Governor General) to represent the Crown; an appointed Executive Council to advise and assist him (which could best be likened to the governing group of ministers in Britain); sometimes a separate Legislative Council (also appointed, the nearest parallel to which was the House of Lords); and, most important, a Legislative Assembly (composed of representatives elected by the people of the colony) which was descended from the proud and powerful British House of Commons.

This representative body, the great central feature of the British constitution, was also the most distinctive feature in the British institutions transferred to Canada. Elected assemblies, of course, had already grown up in those British colonies in America which were to win their independence as the United States in 1783. But the establishment of parliamentary representation in the northern "Canadian" colonies was no less basic for free, popular government than it was in the United States. The line of development in Canada and the American republic might be different; yet both would build on essential British parliamentary principles to become self-governing democracies.

It is true that in the early stages, the powers of the elected bodies in the Canadian colonial legislatures were limited. While they shared in discussing and passing laws and raising taxes, the governor and council might throw out bills the assembly wanted enacted, and often had tax revenues not under assembly control. But just because the colonial assemblies could (and did) claim the rights achieved by the British House of Commons in its long struggle for parliamentary power, they could work to gain complete control over law-making and tax raising. In the end they would achieve it — after a long effort that sought chiefly to realize the full British parliamentary system, rather than follow a republican constitutional pattern as the Americans had done.

This process in Canada extended roughly from the 1750's to the 1850's. But in its first half cen-tury much was also being done to shape the very provinces in which Canadian parliamentary institutions would arise. While Britain and France were still struggling for the possession of North America, Nova Scotia, definitely in British hands from 1713, began the first provincial assembly within the present bounds of Canada in 1758. When the vast French holdings stretching along the St. Lawrence and far into the interior fell to Britain, an assembly was not provided for the new British province of Quebec erected in 1763, but assemblies were established in the provinces of Prince Edward Island and New Brunswick and set up thereafter. And in 1791, when the province of Quebec was divided into the two provinces of Upper and Lower Canada, representative systems were provided for each. Upper Canada — which was to become Ontario would thus receive its basic institutions and character in the years after 1791. These were years of rapid settlement also, followed by the War of 1812 with the United States, which further helped to set the character of Upper Canada.

In any case, it could be said that the parliamentary pattern was clear in the eastern British North American colonies by the 1820's (the western ones had scarcely then begun existence). The next periods would see self-government building on the representative system — and notably in Upper Canada, Ontario's ancestor.

1.   **Letter from Hon. Charles Lawrence, Governor of Nova Scotia, 26 December, 1758, describing the meeting of the first Legislative Assembly in Canada**

This letter from Hon. Charles Lawrence, Governor of Nova Scotia, reports to the Lords of Trade and Plantations in London that the colony's new Legislature had met on October 2, 1758. It was the first meeting of an elected Legislature in any of the British North American colonies now within Canada.

(a)   **A map of North America designed by Rocque and printed in 1761**

2.   (a)   **The Treaty of Paris, 1763, ceding Canada to Britain**

This treaty concluded on 10 February, 1763, ended the Seven Years War, the critical struggle between France and Britain for the control of North America. By its terms French-held Canada "with all its dependencies" was transferred to Britain.

(b)   Proclamation of the Treaty of Paris

The treaty was proclaimed on 7 October, 1763. The proclamation among other things set forth the boundaries of a new province of Quebec erected from former French territory, promising it representative government and the "Laws of England".

3.   The Quebec Act, 1774

The Quebec Act, passed by the British parliament in 1774, provided for the government of the province, which at that time included much of what is now Ontario. Its major provisions included government by a governor and council, establishment of English criminal law and maintenance of French civil law. The seigneurial system was guaranteed, and rights of the Roman Catholic Church were recognized. One important omission was lack of provision for a Legislative Assembly.

4.   The Treaty of Versailles, 1783, closing the American Revolution

This treaty, signed on 3 September, 1783, ended the War of American Independence and acknowledged the 13 former American colonies that had revolted against Great Britain as being "free, Sovereign and Independent States". Provision was made for settlement of the "Loyalists", supporters of the Crown during the War, in remaining British territories, including Canada. Of these Loyalists about 10,000 emigrated to what is now Ontario.

5.   Sir John Johnson's petition asking for the introduction of British laws and tenures in Quebec, 11 April, 1785

Sir John Johnson, a prominent Loyalist and a leader of the British community in Quebec, petitioned the King on behalf of the Loyalist settlers, maintaining that they were unused to the vastly different system of French civil law in effect in that province. Johnson and his supporters suggested the setting aside of a new district, comprehending the Loyalist settlements, where British laws and land tenure would be established.

6.   The Constitutional Act, 1791

The Constitutional Act provided the basis of government for two new provinces into which

Quebec was now to be divided, with Lower Canada (largely French-speaking) to the east and Upper Canada (English-speaking) to the west. In each province parliaments were established having an upper and lower house. The upper chamber, the Legislative Council, was to consist of at least seven members in Upper Canada, appointed by the Lieutenant-Governor of the province. The lower chamber, the Legislative Assembly, was to contain at least sixteen elected members in Upper Canada, its Speaker being named by the Lieutenant-Governor. (These numbers were later increased.) The Lieutenant-Governor himself was given wide discretionary powers, including the right to call, prorogue and dissolve the Legislature and to refuse assent to acts passed by both houses. An Executive Council was to be set up also, although its function in practice was principally to serve as an advisory body to the governor. Its precise terms of reference were not defined in the Constitutional Act.

Another important clause in this Act stated that all lands in Upper Canada were to be granted in free and common soccage, thus establishing the ancient English system of land tenure. Still further, it set aside lands to support a "Protestant Clergy" — held to mean the established Church of England, which thus came to control these Clergy Reserves.

7.   Order-in-Council dividing the old province of Quebec into Upper and Lower Canada

The Constitutional Act stated its intention of dividing the old province of Quebec into Upper and Lower Canada, but did not itself do so. This action was completed by the passing of an Order-in-Council, 21 August, 1791. Thus at this date the province of Upper Canada began.

(a)   A proclamation issued in 1792 dividing the old province of Quebec into Upper and Lower Canada

8.   Lieutenant-Governor John Graves Simcoe (1752 - 1806)

(a)   Simcoe's commission appointing him Lieutenant-Governor

On 12 September, 1791, John Graves Simcoe was named Lieutenant-Governor of Upper

Whereas an act was pas-
sed in the fourteenth year of the
reign of his present majesty inti-
tuled "an act for making more effec-
tual provision for the govern-
ment of the province of Quebec
in North America" And whereas
the said act is in many respects
inapplicable to the present condi-
tion and circumstances of the
said province And whereas it is
expedient and necessary that fur-
ther provision should now be
made for the good government
and prosperity thereof. May it
therefore please your most excel-
lent majesty that it may be enacted
And be it ENACTED by the King's most
excellent majesty by and with the
advice and consent of the Lords
spiritual and temporal and Commons
in this present parliament assem-
bled and by the authority of the
same That so much of the said act
as in any manner relates to the
appointment of a council for the
affairs of the said province of
Quebec or to the power given by
the said act to the said council or
to the major part of them to
make ordinances for the peace
welfare and good government of

Canada. A British Army officer who had served extensively during the American Revolution and an experienced member of the British parliament, he laid the foundations for the future development of the new province, founded the provincial capital, York (Toronto) in 1793, and left a legacy of well entrenched British institutions by his departure in 1796.

9. Proclamation dividing Upper Canada into counties, published in English and French

These proclamations, issued by Lieutenant-Governor Simcoe on 16 July, 1792, divided Upper Canada into its nineteen original counties and provided for the number of representatives each was to elect to the Legislative Assembly.

10. Simcoe's opening address to Parliament, 1792

After Upper Canada had been divided into electoral counties and provision made for parliamentary representatives from each, an election was called and the members asked to assemble at Niagara. The opening of the province's first provincial parliament took place at Niagara (re-named Newark) on 17 September, 1792. Lieutenant-Governor John Graves Simcoe gave the opening address which is reproduced here.

11. Statutes passed by Upper Canada's first Legislature

(a) Introduction of Civil Law, 1792

(b) Trial by Jury, 1792

(c) Slavery Bill, 1793

Among the earliest statutes introduced were those dealing with the establishment of English Civil Law and Trial by Jury. Other measures necessary to make the machinery of law and government operate were also passed.

One important act, passed during the second session, concerned slavery. Simcoe was determined to eliminate this obnoxious practice, although the final legislation only provided for its gradual abolition. It did, however, forbid the further importation of slaves into Upper Canada, and provide freedom for those born in the province on attaining the age of twenty-five years.

12. An early election poster, 1800

This is one of the earliest examples of job printing for a private individual in the province of Upper Canada.

13. Public School Act, 1807

The Public School Act, passed in 1807, was a landmark in the history of education in the province, since it acknowledged the principle of public support of educational institutions. It established eight grammar schools, one for each existing District (then the unit of local administration, as counties were simply electoral divisions), and provided salaries for the school masters.

(a) Common Schools Act, 1816

The 1807 legislation was broadened quite considerably by the passing of a Common Schools Act in 1816. Thus public-supported education was brought down to the primary level.

14. Address of the Upper Canada Assembly regarding financial matters, 1806

One source of friction between the Assembly and the Legislative Council developing at an early date concerned control of provincial finances. The Assembly strongly objected to taxation revenues being used without its prior consent. In this address, submitted to the administration during the 1806 session, the Assembly maintained that "the first and most constitutional privilege of the Commons" had been violated. Although smoothed over at the time, this question would arise again between the governing group and the people's representatives in the Assembly.

(a) A vote of the Legislative Assembly regarding money matters, 1816

For the first time, in 1816, the provincial Assembly voted to provide money to defray expenses of the Civil list.

15. First anti-government newspaper, "The Upper Canada Guardian or Freeman's Journal", Niagara, 1807

Newspapers, from the earliest days of the province, always played an important role in the community. However, it was not until 1807 that a journal critical of the government was published. This paper, the "Upper Canada Guardian or Freeman's Journal" appeared at

TO THE

FREE, AND INDEPENDANT

ELECTORS

OF THE

COUNTY of ESSEX.

GENTLEMEN,

In offering myfelf as a Candidate for your Suffrages at the approaching General Election, I am actuated by motives remote from the purfuits of Ambition, or fchemes of felf Intereft ----Many of you are dear to me as fellow-fufferers in the common caufe of Loyalty during the American War.

SHOULD your choice fall upon me, permit me to obferve, that the tenor of my Life authorifes me in faying, that I will avoid, upon my own account, acting in any-wife unworthily in Parliament, and that I will, upon yours, exert myfelf to difcharge zealoufly therein the Duties of your Reprefentative.

I have the honor to be,
    With the fincereft regard and attachment,
        GENTLEMEN,
        Your moft obedient Servant,

Niagara and was owned by Joseph Willcocks, a member of the Legislative Assembly. A strong opposition critic, Willcocks later deserted to the Americans during the War of 1812 and was killed in action.

16. Major-General Sir Isaac Brock (1769 - 1812)

17. Articles of Capitulation of Detroit, 1812

In June, 1812, war was declared between the United States and Britain. Upper Canada was fortunate in having a talented and bold military commander of great resourcefulness, Major-General Isaac Brock. In July the Americans had crossed the Detroit River and captured Sandwich. Brock hurried westwards to find that the Americans had withdrawn to Detroit. He acted immediately and forced the surrender of that important post on August 15, an event which heartened the doubtful in the province.

18. Playter's Diary. An eyewitness account of the destruction of the provincial Parliament Buildings, 1813

Following Brock's death at the Battle of Queenston Heights, the War for a time went badly for the British and Canadian forces. In April 1813, the Americans landed a large raiding force near York, the provincial seat of government, and took possession of the adjacent fort and the community. After a short period of occupation, they withdrew, having burnt private homes and the Parliament Buildings. The extract from John Playter's diary (an early York inhabitant) is an account of the latter event.

19. An Act regarding the seizure of deserters' property, 1814

One problem plaguing the provincial authorities during the war was that of persons who had sympathy for and co-operated with the enemy. The Assembly passed an act in March, 1814, which enabled legal action to be taken against these disaffected residents. In brief, those who had voluntarily withdrawn to the U.S. without permission from the government could lose their lands.

20. Copy of the Assembly's resolution regarding Martial Law, 19 February, 1814

On 19 February, 1814, the Assembly passed a resolution condemning a recent proclamation of martial law by General de Rottenburg, administrator of Upper Canada. The members considered it "arbitrary and unconstitutional and contrary to and subversive of the established laws of the land". This document illustrates the suspicion with which the Assembly continued to view the powers of the military, even while supporting the prosecution of the war.

21. Robert Gourlay (1778 - 1863)

(a) Title page of Gourlay's book criticizing the provincial administration

(b) Extract from Gourlay's book

Robert Gourlay, a fiery individualist, came to Upper Canada from Scotland in 1817. He proposed a widespread liberalization of British immigration policies, and in order to make prospective immigrants more familiar with conditions in the province, composed, and in 1822 published, a "Statistical Account of Upper Canada". He ran afoul of the provincial authorities because of his vehement criticism of governmental incompetence and the excessive power of the authorities. Prosecuted at Niagara under the terms of the Sedition Act of 1804, he was banished from the province. His brief career and the treatment he received helped stir a rising demand for reform.

"The Rise of Political Parties"

One of the main features of modern parliamentary government — that which makes it work, some would say — is the party system. Parties, which organize public feeling and interests around a body of people and policies, help provide continuity in politics and supply alternative groups for government. They link the people to the legislature, the legislature to the administration. While many criticisms may also be levelled against their operations, the fact is that parties emerged in the British parliament and played a vital role there in enabling the House of Commons to control the government. They similarly developed in Canada to express real differences of viewpoints in politics, and entered deeply into the process by which self-government was gained.

In Upper Canada, the differing, contending party interests called Tory and Reform centered around the struggle that developed between the established interests in government and the demands of the representative assembly for more power. The struggle that emerged in the 1820's even went so far as to produce a rebellion in 1837. Though this was the outburst of a minority, rejected by the large majority that felt no desire to rebel, it was symptomatic of how sharp the problems had become. It ended, indeed in a grand investiga-tion by Lord Durham which recommended both greater powers of self-government and the re-uniting of Upper and Lower Canada in one province.

Both these changes, responsible self-government and union, would follow in the next era, in the 1840's. Parties would again play a large part in both of them. Yet one thing remains to be emphasized for the period of emergence of parties; that both Tory and Reform movements were popularly based; both were found in the representative assembly. Tories generally supported the existing governors and governments, but they too could be critical of them, and they too might win elections to control the assembly. And Reformers, especially men like Robert Baldwin, were seeking to make government respond to the assembly, not to overturn it — indeed, to make it "responsible" to whatever party could hold the majority in the elected chamber.

1. The "Family Compact" attitude on government

The Family Compact, a name given to Upper Canada's ruling group by its opponents, was strongly opposed to government which derived its power from the mass of the people identifying it with "mob rule", American republicanism and disloyalty to British institutions. Progressive in their economic views, these provincial leaders had considerable popular following among those to be called Tories, who similarly feared American influences and stressed the British connection, an established Church, and power vested in the Crown rather than the Assembly. This article, published in a pro-government Tory newspaper, illustrates the Family Compact's rejection of changes proposed to achieve responsible government in Upper Canada.

2. A reply to Family Compact views

The "Colonial Advocate" first appeared 18 May, 1824, and was published by William Lyon Mackenzie, an emigrant Scot who became one of the government's severest critics. While his views were, in many cases, directly opposed to those of the Compact, he advocated initially maintenance of the British tie and a limited constitutional monarchy. He became a powerful spokesman of the Reform element that was emerging.

3. The Reverend John Strachan (1778 - 1867)

4. William Lyon Mackenzie (1795 - 1861)

The Reverend John Strachan and William Lyon Mackenzie represented the two ends of the political spectrum of Tory and Reform in Upper Canada. Both were men of determination, radicals, each in his own way, diametrically opposed in their political thinking, and very influential in their respective spheres.

5. Establishment of the Bank of Upper Canada, 1819

The first chartered bank was opened at York (renamed Toronto in 1834). It received strong financial support from the government and its board of directors was composed principally of members of the Executive or Legislative Councils and government supporters. Its establishment caused much controversy, since the bank enjoyed a virtual monopoly for some ten years.

COLONIAL ADVOCATE,

AND

JOURNAL OF AGRICULTURE, MAN-UFACTURES & COMMERCE;

N⁰ 1.

Tuesday, May 18, 1824.

THIS work will be presented and forwarded regularly to the following individuals, free of any expense whatever ; and we shall continue to add to this list such names of public characters as, from their situations or talents, in Britain or the United States, may be supposed to exercise an influence over public opinion in these countries, as well as in the Colonies.

IN GREAT BRITIAN.

Earl Bathurst.	Sir James Macintosh, M. P.
Viscount Chateaubriand, *London*	Joseph Hume, Esq. M. P.
Lord Holland.	John Gladstone, Esq. M. P.
Rt. Hon. George Canning.	Rev. Dr. Chalmers, *St. Andrews.*
Rt. Hon. F. J. Robinson, M. P.	Rev. Andrew Thomson, *Edinb.*
Henry Brougham, Esq. M. P.	Professor Leslie, *Edinburgh.*
Alexander Baring, Esq. M. P.	Francis Jeffrey, Esq. *Edinburgh.*

IN FRANCE.

Marquis La Fayette.	Duke de Rochefoucalt Liancourt.
Sir Charles Stewart, *Paris.*	

IN THE BRITISH COLONIES.

The Earl of Dalhousie. Nor can we deny ourselves the
Sir Peregrine Maitland, K. C. B. pleasure of inserting in this list
Sir James Kempt, G. C. B. of free papers the name of our
Sir Thos. Brisbane, *N. S. Wales.* Statistical writer and exiled pat-
Jas. Stuart, Esq. of L. C. now in riot, Robert Gourlay, *London.*
London.

IN THE UNITED STATES.

The President.	Wm. H. Crawford, Esq.
Hon. De Witt Clinton.	Daniel Webster, Esq.
The Vice President.	John Randolph, Esq.
John Quincy Adams, Esq.	Morris Birkbeck, Esq. *Illinois.*
Henry Clay, Esq.	

QUEENSTON, UPPER CANADA :
PUBLISHED BY W. L. MACKENZIE, BOOKSELLER.

The first issue of the Colonial Advocate 1824 — See section 3, No. 2

6.   Mackenzie's attack on the Bank of Upper Canada

The Bank of Upper Canada was a prime target of criticism for William Lyon Mackenzie as an example of Compact power and privilege. He particularly objected to it operating on the principle of limited liability. Mackenzie's attacks on this institution were largely supported by Reformers.

7.   The first university charter for King's College, 15 May, 1827

In 1827 a charter was issued allowing a university to be established in Upper Canada, the first in the province. Secured in England by John Strachan, then Archdeacon of York, it became a subject of serious dispute owing to the belief that the university would be too sectarian. Although a College Council was appointed, it was not until 1842 that construction of King's College was authorized. The college was secularized and became the University of Toronto as a result of the Baldwin Act of 1849.

8.   Development of the Reform Party. Letter of M.S. Bidwell to W.W. Baldwin

(a)   William Warren Baldwin (1775 - 1844)

(b)   Marshall Spring Bidwell (1799 - 1872)

(c)   John Rolph (1793 - 1870)

During Upper Canada's early formative years, there had indeed been sporadic outbursts of criticism of the government's conduct of affairs, but these increased substantially during the 1820's. Questions relating to such matters as distribution of patronage, control of revenue, the bank, naturalization policy, and the Clergy Reserves (the one-seventh of the public lands reserved for the support of the Anglican Church); became the chief concerns of rising opposition forces, who demanded reform and began to organize to seek it. The principal leaders of this opposition were John Rolph, Marshall Spring Bidwell and Dr. W.W. Baldwin, who formed in 1828 a political association devoted to the Reform cause.

9.   W.W. Baldwin's proposal for government reform addressed to the British Prime Minister, the Duke of Wellington

In 1828 Reformers of Upper Canada sent a lengthy petition to the then British government criticizing the local adminstrative procedures and listing many grievances. This was followed by a letter from Dr. W.W. Baldwin to the British Prime Minister, the Tory Duke of Wellington, pressing the point that there should be a "Provincial Ministry . . . responsible to the Provincial Parliament", which should only hold office as long as it had the confidence of the Assembly.

10.   The (British) Parliamentary Reform Bill, 1832

The passage of the Reform Bill of 1832 in the British Parliament — doing away with unrepresentative seats called "rotten boroughs" and recognizing the idea that it was possible to change the traditional parliamentary constitution — was hailed as an important victory by the Reformers in Upper Canada. They believed that this momentous change in the British system would eventually produce good results in Upper Canada, since the Whig-Liberal government responsible for the passage of the bill in Britain should be favourably inclined to suggestions for governmental reform in the province.

(a)   Royal assent given the Reform Bill of 1832

11.   A plan by Upper Canada Reformers to form political societies

In 1832 the Reformers strongly advocated the formation of political societies throughout the province "for the preservation of civil and religious liberty", and in so doing believed that they were following British practice used in the agitation for the Reform Bill.

12.   Reform criticism of lieutenant-governors in Upper Canada

One of the major complaints made by Reformers concerned provincial governors. While they respected the office itself, since the incumbent was the representative of the Crown, they maintained that too much of his extensive power was being surrendered into the hands of the local ruling clique in the province, the Compact.

13.   Tory criticism of the lieutenant-governors

Strachan, a leading figure in the provincial ruling clique, also complained about the

lieutenant-governor. He maintained that successive incumbents made too many decisions effecting the welfare of the province without adequate consultation with their Executive Council. The major difference between the Reform and Tory points of view was that the majority of the former party wished to have the council act as a ministry responsible to the Assembly, while the Tories did not accept this principle of Responsible Government. Both parties agreed, however, that the provincial administration should have a greater control of its own affairs.

14. The Ballot Bill, 1835

In 1835 a Ballot Bill, providing for the casting of votes by secret ballot, was passed by the Assembly composed of a majority of Reformers. At the time voting for members of the Assembly in provincial elections was conducted openly, and on numerous occasions riots and bloodshed ensued between supporters of opposing candidates. The Bill, however, was rejected by the Legislative Council; and it was not until 1872 that secret balloting became law at last.

15. Mackenzie's political philosophy

William Lyon Mackenzie, increasingly influential as an anti-government journalist, presented the more radical views of the Reform Party. While not advocating union with the United States, he found much to admire in the American political system. He advocated several changes in the basically British system current in Upper Canada, one of which entailed producing a written constitution, to which all measures passed by the legislature would have had to conform.

16. Lord Goderich to Sir John Colborne, 2 April, 1832. Views on Mackenzie's expulsion from the Assembly

Mackenzie by his unrelenting and outspoken attacks on the provincial administration, was regarded by friends of the Compact as a dangerous demagogue, and measures were taken to have him expelled from the Assembly. At first unsuccessful, Tory leaders succeeded in having a motion passed in the house on December 13, 1831 accusing him of libel against that institution and calling for his expulsion. Mackenzie's Reform colleagues stood by him and at a by-election held in January,

1832, he was re-elected to his former seat. Expelled once again, he was declared ineligible to sit in the house.

Lord Goderich, then Colonial Secretary in Britain, was distressed at this course of events and advised the lieutenant-governor, Sir John Colborne, that the Assembly had no authority to prevent Mackenzie from taking his seat.

17. The Reformers' reaction to Tory criticism of the Colonial Office

Early in 1832, Mackenzie went to England where he was received by British authorities as the virtual leader of the opposition in Upper Canada. His long and detailed list of grievances made a strong impression on Lord Goderich who, in turn, ordered the dismissal of the Upper Canadian attorney general and the solicitor general, and sent a dispatch to Colborne which referred to Mackenzie's complaints. The provincial Tory leaders were outraged, and in the Assembly and their press they were highly critical of Lord Goderich and the Whig government in Britain. The Reformers seized this opportunity to accuse their Tory opponents of disloyalty and even treason, and were highly elated at what appeared to be a very sympathetic attitude by London.

18. The Assembly's indignation at British interference in local affairs

Tories and Reformers alike were united in opposing what they regarded as undue imperial interference with provincial affairs. The rumour of British disallowance of a provincial banking bill produced an amendment to an Assembly address to the King, which protested against the British government taking any contrary action on an issue clearly approved by the majority of people in Upper Canada. This provides an illustration of the fact that men of all shades of political opinion were in favour of some degree of self-government for the province.

19. The Seventh Report on Grievances, 1835

In 1835 the Reformers gained a majority of seats in the provincial election and Mackenzie was once again returned to the Assembly. He persuaded his colleagues to allow him to set up and chair a Committee on Grievances for the purpose of investigating the provincial administration. After a searching examination of

officials and a host of othe. vitnesses, the Committee produced the "Seventh Report on Grievances". A voluminous document of over 500 pages, it catalogued, in some cases inaccurately, a long list of administrative and other ills, not the least of which was the Assembly's lack of control over provincial revenues.

20. British Government's instructions to Lieutenant-Governor Sir Francis Bond Head, 5 December, 1835

The British Government became increasingly aware of the crucial state of affairs in Upper Canada, and as a gesture of conciliation, replaced the Lieutenant-Governor, Sir John Colborne, with a new appointee, Sir Francis Bond Head. Head, a retired army engineer with no political experience, was provided with a long list of instructions by the Colonial Secretary, Lord Glenelg, which in general were trying to meet the grievances stated in the "Seventh Report" and conciliate the provincial opposition party.

21. Head's impressions of the local political situation in Upper Canada. Letter to Lord Glenelg, 5 February, 1836

Head arrived in Upper Canada early in 1836 and disregarding the advice and instructions he had received from the Colonial Office, immediately formed his own impressions of the local political situation. From the start he strongly favoured the Family Compact group and took a dislike to some of the leading Reformers. The latter he regarded as being influenced by American republicanism, and he henceforth referred to the Reformers as the "Republican Party".

(a)   Sir Francis Bond Head (1793 - 1875)

Born in Kent, England, he was educated at the Royal Military Academy, and in 1811 obtained a commission in the Royal Engineers. He was present at the Battle of Waterloo and remained in the army until 1825. Retiring on half-pay, he obtained a post as manager of the Rio Plata Mining Association in South America, but returned to England in 1826. In 1834 he was appointed assistant poor law commissioner for Kent and the following year Lieutenant-Governor of Upper Canada. He served in the latter post until early in 1838, at which time he retired to England. Created a baronet in 1837 and privy councillor in 1867,

Head was a versatile and vigorous writer, who published many books, including some detailing his Canadian experiences, before his death at eighty-two.

22.   Want of Confidence motion in the Assembly, 1836

Head, in an attempt to broaden the political representation of the Executive Council, appointed Robert Baldwin (son of W.W. Baldwin) and John Rolph, two leading Reformers, to that body. The governor's failure to consult with the new council over matters important to the province, resulted shortly in a mass resignation. The Assembly, composed of a majority of Reformers, appointed a committee to investigate the incident and passed a motion of want of confidence.

23.   Report on the Executive Council, 1836 (Perry Report)

Following the publication of the report of the committee on Head's clash with the Executive Council which proved to be a strong indictment of the governor's actions, the Assembly voted to stop the supplies. Head, in retaliation, prorogued the legislature which, a month later, was dissolved. During the ensuing bitterly-fought election, the governor led the Tory forces in person. He labelled the Reformers as republicans and maintained that only he and his supporters stood for maintenance of the British connection and the constitution. His appeal had a telling effect on the voters, who returned a large majority of Tory candidates to the Assembly.

(a)   Tory broadside issued for the election

"Farmers! Beware!" A Tory poster issued during the 1836 election.

24.   Lord John Russell's Ten Resolutions, 1837

25.   Mackenzie moves towards rebellion. His support of radical reformers in Lower Canada

Paralleling political unrest in Upper Canada was a similar aggravated situation in Lower Canada, where reform agitation, led by radicals such as Papineau and Wolfred Nelson, caused the British government to send Lord Gosford on a mission of conciliation. Following the failure of the mission, Lord

Farmers!
BEWARE!

The enemies of the King and the People,--of the

CONSTITUTION,

AND

SIR FRANCIS HEAD,

ARE, DAY AND NIGHT, SPREADING

LIES.

They say Sir Francis Head is recalled,--Sir Francis Head is *NOT* recalled, but is supported by the King and His Ministers.

They say *Tithes* are to be claimed in Upper Canada,--*Tithes* shall *NOT* be claimed in Upper Canada says a permanent Act of Parliament.

FARMERS

Believe not a word these *Agitators* say, but think for yourselves, and *SUPPORT SIR FRANCIS HEAD, the friend of Constitutional Reform.*

Albion Office, Toronto.--JOHN F. ROGERS, Printer.

A Tory poster issued during the 1836 Election — See section 3, No. 23(a)

John Russell formulated his famous Ten Resolutions, which rejected the Reformers' demands and gave the governor the right to acquire funds from the provincial treasury not voted in the Assembly. Mackenzie, in close contact with his Lower Canadian confreres, was outraged by this reversal in British policy, which strengthened his belief that reform was not possible by constitutional methods.

Following the defeat of the Reform Party in the Upper Canadian election of 1836, most of the moderate leaders had retired from active politics, leaving the field cleàr for Mackenzie and the radicals. After the return of the British government to a policy of firmness in dealing with the demands for reform, Mackenzie proposed an American-style constitution and toured the countryside organizing his supporters in readiness for an armed uprising.

26. Broadside offering a reward for Mackenzie's capture, 1837

The Upper Canadian authorities would not believe reports of a supposed rebellion and Governor Head sent the regular troops stationed in the province to Lower Canada. By this time, Mackenzie had completed his organization and on the night of December 4-5 a rebel force of about 800 men gathered at Montgomery's Tavern north of Toronto's limits. (The site is now within the city near Yonge and Eglinton). An initial skirmish took place between the rebels, or "Patriots" and government forces, resulting in a hasty withdrawal by both sides. Two days later a force of more than one thousand loyal militia completely routed the "Patriots" and Mackenzie fled to the United States. The poster offering a large reward for his and the other leaders' capture had little effect, however.

27. Public protestations of loyalty to the Crown by the Reformers, 1838

During the rebellion most of the moderate leaders of the Reform Party had remained aloof and were not involved with Mackenzie's activities. However, general sentiment was strongly loyalist, and they considered it necessary to announce publicly that they had never supported proposals of the province's separation from Britain and had remained consistently loyal.

28. The Execution of Lount and Matthews

After the abortive uprising, numbers of those

implicated were arrested and brought to trial. Among these were two of Mackenzie's lieutenants, Samuel Lount and Peter Matthews. Both were condemned to death. The newly-arrived Lieutenant-Governor, Sir George Arthur, refused to intervene, and the sentence was carried out on April 12, 1838. The Governor, although he agreed that an example had to be set, was against a policy of persecuting the rebels, other than having some of the main offenders transported to the penal settlements in Australia. He hoped eventually to free those who had been imprisoned, in order to encourage a return to normal conditions in the province.

29. Lord Durham's Commission

The British Government, shocked by the recent insurrections in Upper and Lower Canada, decided to conduct a thorough investigation into the affairs of both provinces. The Earl of Durham, a brilliant politician noted for his connection with British radicals and for his staunch support of the Reform Bill of 1832, was appointed Governor General of British North America with complete authority to conduct the far-reaching inquiry.

(a) The Earl of Durham (1792 - 1840)

30. Robert Baldwin's recommendations for reform submitted to Lord Durham

Durham arrived in Quebec in May, 1838 and set about his task immediately. He visited Upper Canada in July and met with Robert Baldwin and other political leaders. Baldwin, impressed with Durham's assessment of the local political situation, wrote him at length outlining his views on the reforms he considered necessary. Among Baldwin's many suggestions was one asserting that a responsible ministry or government was an absolute necessity and would be capable of functioning in the colonies. His views were taken into consideration by the Governor General, and Durham's subsequent report embodied recommendations based on Baldwin's submissions.

31. Durham's "Report on the Affairs in British North America", 1839

Durham resigned late in 1838 and returned to England. His "Report on the Affairs in British North America" was published early in 1839.

Basically, it scathingly condemned what he considered the gross mismanagement of affairs in the colonies. Durham proposed the gradual assimilation of the French population in Lower Canada and commented sympathetically on the idea of establishing a responsible administration in Upper Canada. He saw no reason for changing the basic structure of government as it had been adapted from the British system. However, he did argue that the principal remedy was a wider sphere of self-government for the colonies. Moreover, in dismissing French national aspirations, he advocated a union of the two Canadas which would produce an English majority in a single united Legislature.

32. Criticism of the Durham Report

The controversial Report immediately produced strong reactions in both provinces. In Upper Canada Tories and conservatives were aghast, and bitterly opposed the implementation of Durham's recommendations. A select committee of the Legislative Council reported that the establishment of responsible government would lead to the dismemberment of the Empire, and that government stability under such a system would not be able to exist.

33. Reformers' views on the Durham "Report"

While Durham's recommendations caused consternation among the conservative elements in Upper Canada, it gave new heart to the Reformers. The latter group, whose organization had been shattered after the abortive Rebellion, once again agitated for the establishment of responsible government and quoted Durham's recommendations to strengthen their case. They received an increasing amount of support from the more moderate ranks of those who had previously opposed them, including the Rev. Egerton Ryerson, a leading Methodist and editor of the influential "Christian Guardian". Despite the fact Lord John Russell, speaking on behalf of the British government, expressed the opinion that in theory the system of responsible government could not function in a colony and Sir George Arthur, the Lieutenant-Governor, did not hide his opposition to the Reformers' views pressure to introduce government based on popular support in the Assembly grew stronger daily.

34. Sir George Arthur's views on how the radical opposition in Upper Canada was successfully isolated

The British government chose a new Governor General for Canada. Charles Poulett Thomson, a brilliant, energetic and fast rising politician, arrived in Canada late in 1839. A follower of Durham, he was sent to implement the British government's new policy for Canada. This policy was based principally on Durham's recommendations, and included a proposal to bring about a union of Upper and Lower Canada. This proposition, however, required the consent of the respective legislative bodies. In Upper Canada anti-union forces were strong both in the Assembly and the Council. The new governor hastened to Toronto and with the assistance of Arthur, set about convincing the moderates in the province of the soundness of the proposal. By bringing together the moderate sections of the conservative and reform groups, he successfully isolated the radical wings of these organizations.

35. The Act of Union, 1840

The Union Act, 1840, "An Act to re-unite the Provinces of Upper and Lower Canada, and for the government in Canada", was passed in the British parliament in 1840, but was not proclaimed until 5 February, 1841. Its provisions included representation in the Assembly for Upper and Lower Canada and printing of all government records in English. The latter provision was changed shortly thereafter. Basically it did not alter the system of government, although it did provide an opportunity for Upper and Lower Canadian Reformers to present a united front in their demands for responsible government.

"The Achievement of Responsible Government"

Though the union that began in 1841 spelled the official end of the individual province of Upper Canada, in many ways it still continued to exist. The western and eastern halves of the new Province of Canada still kept their own distinctive character. They were now referred to as Canada West and Canada East, but often the terms Upper and Lower Canada were still popularly applied. Indeed the parties in the two sections of the union still kept a good deal of their separate existence, even in the single union parliament, so that one still spoke of the "Upper Canada Reform Party" or the "Lower Canada Tories". Furthermore, since the two sections had received equal representation in the united legislature, the members tended to act in sectional blocks. Further still, laws were sometimes passed to apply only to Canada West or East; some matters, such as education, were administered separately for the two divisions; and in general governments came to be double-headed, their members drawn equally from the two sections. This complexity, in fact, could largely be ascribed to the continuing differences between English-speaking Canada West and predominantly French-speaking Canada East.

Yet the union, with its complications and strains, still achieved a great deal in economic progress and development, and above all in the effective realization of responsible rule. Here, Upper Canadian Reformers led by Robert Baldwin and Francis Hincks, and Lower Canadian Reformers under Louis-Hippolyte Lafontaine, combined their forces to gain power in the assembly of the union, and to bring the final acceptance of the principle that the government had to depend on majority support in the elected chamber. Thus, when Baldwin and Lafontaine won the provincial elections in 1848, and a Reform government under their leadership was instituted thereafter, it marked the decisive victory of the principle of responsible government and of cabinet rule under the party that held power in parliament.

1. First Parliament of the Province of Canada, 1841

Following the passing of the Act of Union, the proclamation uniting the former provinces of Upper and Lower Canada was designated to take effect on 10 February, 1841. The seat of government having been set at Kingston, elections were called immediately. The new legislature met in the General Hospital. Members were sworn in and a Speaker elected on June 14, and the following day the Governor General, Lord Sydenham (the former Poulett Thomson), delivered his opening address.

2. The Harrison-Baldwin proposals for limited Responsible Government

During the first session the leaders of the Opposition, Baldwin and Lafontaine, launched an attack upon the government. Sydenham acted as his own first minister and formed a ministry from those men whom he considered the most capable. This was not a true "cabinet", and Baldwin pressed hard for implementation of a system of Responsible Government. His proposals, made on 3 September, 1841, and slightly amended by the Provincial Secretary, Samuel Bealey Harrison, were carried as Resolutions of the Legislative Assembly.

3. The Municipal District Councils Act, 1841

This Bill, described by Sydenham as one of "the five great works" he aimed at processing through parliament, was given Royal Assent on 28 August, 1841. The provisions of the Act included a sharp curtailment of the power of the local justices of the peace over township affairs. It was attacked by leaders of both sides of the House. The ultra conservatives thought it was too democratic and republican in principle,while Robert Baldwin objected to the government appointing the chief district officers. It did, however, create a larger measure of elected local government than had existed previously in the colony.

4. Founding of the Toronto "Globe" March, 1844

George Brown, who had settled in Toronto in 1843, quickly established a reputation as a competent political journalist by his editorials in his father's newspaper the "Banner". Sympathetic to the Reformers' struggle for the establishment of Responsible Government, he strongly supported their cause and was approached by four prominent members of the party with a view to founding a new journal. The first edition appeared on 5 March, 1844, and its political tone was set by the motto, "the subject who is truly loyal to the Chief Magistrate will neither advise nor submit to arbitrary measures". Constantly improved and enlarged, full of forceful writing, the "Globe" soon became the most influential newspaper in Canada West.

5. John A. Macdonald elected to Parliament, 1844

John A. Macdonald, a rising lawyer in Kingston in the early 1840's, early became interested in politics. He won his first election in Kingston in 1843 where he ran as aldermanic candidate for the Fourth Ward. A staunch supporter of Tories or Conservatives, although moderate in his views, he watched with great interest a government crisis during 1843-44. When, at the end of 1843, a general election became inevitable, Macdonald was chosen by Kingston Conservatives as their candidate. The election, held in October, 1844, resulted in a resounding victory for Macdonald.

6. Recommendation of John A. Macdonald for office, 1846

When Macdonald attended his first session of the newly-elected Legislative Assembly, recently moved from Kingston to Montreal , he found his party split into two warring factions, one ultra-Tory and led by Sir Allan Napier MacNab, the other more moderate Conservative and led by a distinguished jurist, W.H. Draper. Macdonald gravitated naturally towards Draper and his moderates. His performance in parliamentary debate, committee work and his general demeanour, so impressed his leader that he recommended him to the Governor General, Lord Cathcart, as a suitable candidate for the office of Commissioner of Crown Lands. Although Macdonald was not then appointed, he did in 1847 become Receiver General.

7. Earl Grey's outline of a plan for Responsible Government, 1846

Earl Grey, the Colonial Secretary in Lord John Russell's new Whig-Liberal government in Britain, set out his views on the acceptance

of a system of Responsible Government in two letters to Sir John Harvey, Lieutenant-Governor of Nova Scotia. In defining the British government's policy on this question, he stated that: "This country has no interest whatever in exercising any greater influence on the internal affairs of the colonies than is indispensable either for the purpose of preventing any one colony from adopting measures injurious to another or to the empire at large".

8.   Lord Elgin accepts the system of Responsible Government, 1847

Grey's instructions to Harvey on the subject of Responsible Government were similar to those sent to the new Governor General of Canada, Lord Elgin. Elgin, in his response to Grey, expressed his own intention of fully accepting the system of Responsible Government, and it was during his administration that cabinet government first became a meaningful reality in Canada.

9.   James Bruce, 8th Earl of Elgin (1811 - 1863)

Born in London, England, Elgin was educated at Eton and Christ Church, Oxford. In 1840, on the death of his older brother, he became heir to the earldom of Elgin in the Scottish Peerage, and the following year succeeded to the title. Elected to the House of Commons in 1841, he was appointed Governor of Jamaica in 1842. His successful administration there led Lord John Russell in 1846 to offer him the post of Governor General of British North America. The British government had now fully decided to implement Lord Durham's proposal for the establishment of Responsible Government, and Elgin was chosen to effect this policy in British North America. He arrived in Canada in January, 1847, and during his tenure in office, despite some stormy interludes, his firmness, patience, forthright manner and political acumen created the climate whereby true Responsible Government could become well established. In later years Elgin served in diplomatic posts in China and Japan, as postmaster general in Palmerston's government in Britain, and finally as Viceroy of India.

10.   The University Act, 1849

The question of a provincial university had been one of the most controversial in Upper Canadian politics for a number of years. During the Lafontaine-Baldwin administration, this Act was proposed and approved by Parliament. It embodied the basic principle of the separation of church and state, and provided for the establishment of a non-denominational University of Toronto.

11.   The Municipal Corporations Act, 1849

Baldwin had for many years advocated the extension of municipal self-government. This had been partially achieved by the passing of the District Councils Act in 1841. However, it was not until Baldwin came to power that the system was radically altered. Briefly it provided for the incorporation of villages, townships, towns, counties and cities with full power to elect their own councils, appoint their own officers and manage their own affairs. Although this Act has had many amendments since its passage in 1849, it established the basic system of municipal self-government still in use in Ontario today.

12.   The Rebellion Losses Bill, 1849

Another measure of much significance was introduced by the Lafontaine-Baldwin ministry, actually by the leader of the French Canadian Reformers, Louis Hippolyte Lafontaine. It was designed to compensate those who had suffered damages during the 1837 Rebellion in Lower Canada. While seemingly a logical move, since similar compensation had already been paid in Upper Canada, it was attacked by Tories, now in opposition, as a scheme to pay rebels against the Crown and it roused a political furore. Despite angry anti-French denunciations, the Bill was carried with a large majority. The Governor General therefore accepted it, in accordance with the ideas of Responsible Government.

13.   Riots over the passing of the Rebellion Losses Bill, 1849

Lord Elgin, in his letter of 30 April, 1849, described the riots and the circumstances leading up to the burning of the Parliament Building in Montreal. The Opposition forces had pinned their hopes on Elgin in that they believed he might refuse or reserve the Bill. In this they were disappointed. Angry riots were also touched off in Toronto, where government leaders were hanged in effigy and their residences attacked. Elgin, after giving assent

shall extend and be applied to one person or thing as well as several persons or things; and every word importing the masculine gender only, shall extend and be applied to a female as well as a male; the words "Real Estate" shall extend and apply to immoveable estate and property generally; and the word "Securities" shall extend and apply to privileges, mortgages (equitable as well as legal,) *hypothèques* and incumbrances upon real and immoveable estate, as well as to other rights and privileges upon personal estate and property: That this Act shall extend to aliens, denizens and females, both to make them subject thereto and to entitle them to all the benefits given thereby; and that this Act shall be construed in the most beneficial manner for promoting the ends thereby intended. To whom this Act shall extend.

XVIII. And be it enacted, That this Act shall be deemed a Public Act, and shall extend to all Courts of Law or Equity in this Province, and be judicially taken notice of as such by all Judges, Justices and other persons whatsoever without the same being specially shown or pleaded. Public Act.

CAP. LVIII.

An Act to provide for the indemnification of parties in Lower-Canada whose property was destroyed during the Rebellion in the years one thousand eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight.

[*25th April*, 1849.]

WHEREAS on the twenty-eighth day of February, one thousand eight hundred and forty-five, an humble Address was unanimously adopted by the Legislative Assembly of this Province, and by them presented to the Right Honorable Charles Theophilus Baron Metcalfe, the then Governor-General of the same, praying "that His "Excellency would be pleased to cause proper measures to be adopted in order to "insure to the inhabitants of that part of this Province formerly Lower-Canada, "indemnity for just losses by them sustained during the Rebellion of one thousand "eight hundred and thirty-seven, and one thousand eight hundred and thirty-eight;" and whereas on the twenty-fourth day of November, one thousand eight hundred and forty-five a Commission of five persons was, by His Excellency the said Governor-General, duly appointed to enquire into such losses arising from and growing out of the said Rebellion; And whereas it appears by the Report of the said Commissioners, dated the eighteenth day of April, one thousand eight hundred and forty-six, that "the want of "power to proceed to a strict and regular investigation of the losses in question, left "the Commissioners no other resource than to trust to the allegations of the claimants, "as to the amounts and nature of their losses;" And whereas, in order to redeem the pledge given to the sufferers of such losses, or their *bonâ fide* creditors, assigns, or *ayants droit*, as well by the said Address of the said Legislative Assembly, and the appointment of the said Commission, as by the letter addressed by the Honorable the Secretary of the Province, by order of the Right Honorable Charles Murray, Earl Cathcart, the then Administrator of the Government of the same, to the said Commissioners, on the twenty-seventh day of February, one thousand eight hundred and forty-six, it is necessary and just that the particulars of such losses, not yet paid and satisfied, should form the subject Preamble.
Recital.
Address of 28th February, 1845.

Report of Commissioners, 18th April, 1846.

Secretary's Letter 27th February, 1846.

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to the Bill, was attacked in his carriage by a mob of rioters, who then proceeded to Parliament where the members were still in session and set fire to the building.

14.   The Burning of the Parliament Building in Montreal, 25 April, 1849

15.   The British American League, 1849

Ultra-Tories, their forces shattered and stunned by Elgin's adherence to the system of Responsible Government, sought a new political base. The recent introduction of Free Trade by Britain caused consternation among Canadian merchants who had hitherto enjoyed the protection of Imperial Tariffs. This, the ultras seized upon as a reason for advocating breaking away from Britain and associating with the United States. The moderate element of the Conservatives proposed a less radical course. A convention of the British American League was planned to take place in Kingston in July, 1849. John A. Macdonald and his moderate colleagues hoped that their alternative proposal would "put its foot on the idea of annexation". In his letter to D.B. Stevenson, of Prince Edward County, Macdonald proposed that these alternative principles should include: protection of native industry; connection with Great Britain; reciprocity with the U.S. in agricultural products; and "repeal of the Municipal and Tariff monstrosities of the last Session. No French domination, but equal rights for all". The convention took place as planned and the more moderate platform was adopted.

16.   The Annexation Manifesto, 1849

While the Tory radicals were unable to have their views on annexation adopted by the British American League, the movement was not dead. It appealed to discontented Tory elements in Canada West and Canada East, and in the latter was supported by an ardent group of French Canadian nationalist liberals known as the "Rouges". An Annexation Association was formed in Montreal and on October 13, 1849, the famous "Annexation Manifesto" was issued, which called for union with the United States. It raised an overwhelming popular response against it, however, and annexationism soon faded away.

17.   The "Clear Grits": Reform Party Radicals

The Reformers, as well as the Tories, possessed a radical wing of their party. During the latter part of 1849 their demands grew more vocal, and they were very critical of the new system of Responsible Cabinet Government. Their discontent and rejection of the current Reform Party leadership led to the formation of a group founded on "clear grit" principles. Its membership consisted of "Old Reformers" who once had followed William Lyon Mackenzie, and of younger Liberal idealists. The major concerns of this Clear Grit group centred around introducing a more thoroughly democratic type of government and the levelling of inequalities within church or state.

18.   "Rep. by Pop."

The idea of representation by population, or "rep. by pop." as it was commonly known, first arose among Lower Canadians who felt that as the more heavily populated half of the Canadian union, Lower Canada deserved the larger share of representatives in Parliament. A measure to this effect had been introduced in the House in 1849 by radical "Rouges". Although defeated at that time, the question did not remain dormant. It became a burning issue when the results of the 1851-52 census revealed that Canada West had actually overtaken Canada East in total population. The issue was taken up by the "Clear Grit" element, and also some Conservatives.

19.   George Brown's attitude towards "Rep. by Pop."

Brown had included "rep. by pop." in his platform when first elected to Parliament late in 1851. His initial aim was the reduction of the power of the closely-knit French group in Parliament to influence government policy. When a Representation Bill was presented, he moved a resolution calling for representation by population based on the assertion that the Province of Canada should be treated as an entity and not as two distinct parts. His advocacy of changes in the structure of the union set him on a path which would eventually bring him to Confederation.

20.   The Honourable George Brown (1818 - 1880)

Born near Edinburgh, Scotland, Brown

emigrated with his father to New York City in 1837. In 1843 he moved to Toronto and the following year founded the "Globe" newspaper which became the chief Reform or Liberal organ in the province. He was elected to Parliament in 1851 and soon rose to lead the Reformers in Canada West. He made the Clear Grit element more moderate under his leadership, and shaped the powerful Grit Liberal party for the future. In 1858, with A.A. Dorion, he formed a short-lived government. During his most active years in politics, Brown's principal adversary was John A. Macdonald, although in 1864 he entered the "Great Coalition" government with him and played a leading part in the conference held at Quebec that year which led to the establishment of the Dominion of Canada on July 1, 1867. One of Canada's outstanding statesmen, "Initiator of Union", Brown remained interested in politics throughout his life, though in later years his principal preoccupation was his farm estate, Bow Park, near Brantford. He was shot and mortally wounded by a disgruntled employee in 1880 and is buried in Toronto.

21.   John A. Macdonald heralded as Conservative leader, 1852

By the early 1850's most of the "ultra" elements within the Conservative party representing the old Family Compact had disappeared from the political scene, but the moderate Conservative party leader, William Henry Draper, had been succeeded by a surviving Compact Tory stalwart, Sir Allan Napier MacNab. It was increasingly felt that Mac-Nab's political usefulness was seriously impaired by his wholehearted association with the existing Liberal government's railway promotion policy. Macdonald had been long regarded as Draper's protégé and during the summer of 1852 Conservative newspapers strongly advocated MacNab's retirement and his replacement by Macdonald as party leader in Canada West.

22.   John A. Macdonald (1815 - 1891)

Born in Glasgow, Scotland, Macdonald emigrated with his family to Kingston, Upper Canada (now Ontario) in 1820. He became a successful lawyer and practised his profession in Napanee, Picton and Kingston. Keenly interested in politics, he became a member of the Conservative Party and was elected to

parliament in 1844. He served in several administrations and became the leader of his party in Canada West by 1856. His skill and statesmanship in carrying forward a broad federal union of Britain's North American colonies resulted in the formation of the Dominion of Canada on July 1, 1867. Called "Chief Architect of Confederation", Macdonald served as prime minister of the new Dominion, 1867-73 and 1878-91. During his administration large territories were added to Canada and a transcontinental railway built and settlement of the West encouraged. One of this country's foremost figures and a vivid, colourful personality, he lies buried at Cataraqui near Kingston.

23.   The Union Amendment Act, 1854

Following the election of 1854, in which the then Hincks Liberal government suffered severe reverses, parliament met in September and the government was defeated. The Governor General immediately called upon Sir Allan Napier MacNab, as Conservative leader, to form a ministry. A Liberal-Conservative coalition was arranged, consisting of Conservatives and French and English moderate Reformers. However, one of the Reform conditions for entering such an arrangement was acceptance of a proposal to make the Legislative Council an elective body. The first step was taken in 1854, when the Union Amendment Act was passed. The appointed Legislative Council, parliament's upper house, became elective in 1856.

24.   The Macdonald-Taché Administration, 1856

Etienne Paschal Taché, a member of the Legislative Council who had held portfolios in the Baldwin-Lafontaine, Hincks-Morin and Macdonald-MacNab administrations, became the recognized government leader in Canada East. In 1856 there was general speculation that Sir Allan Napier MacNab, technically government leader in Canada West, would be replaced by John A. Macdonald. Although Macdonald publicly opposed the movement, a crisis in government over the proposal to establish the seat of government at Quebec City, forced MacNab to resign. The Governor General was faced with reorganizing a government which had not been defeated, and asked Taché to act as first minister with Macdonald

as Attorney-General and government leader in the Assembly. Macdonald was accepted as leader of the Conservatives in Canada West, and this acceptance provided the ultimate triumph of the moderate wing of his party over the old guard.

25. George Brown forms a Government, 1858

The coalition government led by Taché and Macdonald, which held a bare majority and was beset by pressing political problems, was soon reconstructed with Macdonald as first minister and George Etienne Cartier as leader in Canada East. Late in 1857 an election was held. Because of growing differences be-tween the two sections of the province, it tended only to strengthen Brown and the Grit Liberals in Canada West, Cartier and the Conser-vatives in Canada East. The new ad-ministration again led by Macdonald and Car-tier continued until the end of July, 1858, when it resigned over the seat-of-government question. The Governor General called upon George Brown, as the recognized leader of the Opposition in Canada West to form a ministry. Despite great difficulties because of the strong sectional feelings, Brown, in partnership with A.A. Dorion, the Liberal opposition leader in Canada East, formed a government.

26. Brown asks for dissolution of Parliament

The newly constituted but shaky ministry ap-peared in the Assembly on August 2, 1858. The Opposition launched an immediate and vehement attack and called for a want of con-fidence vote. Flatly defeated, Brown asked the Governor General to dissolve parliament so that new elections could be called, hoping that he could strengthen his weak government as a result.

27. The Governor General refuses dissolu-tion. Brown resigns

The Governor General, Sir Edmund Head, refused Brown's request. He suggested that an election had been held less than a year ago, the business before parliament was not yet finished, that the harvest season was an incon-venient time for the electorate, and that the present sectional discord did not promise any better outcome. Failing to obtain the desired dissolution, Brown submitted his resignation.

28. The "Double Shuffle", 1858

After Brown's defeat, Cartier was now called on to form a government. However, in order to avoid going to the electors, the cabinet, headed by Cartier as first minister, invoked the seventh clause of the Independence of Parliament Act, 1857. This section stipulated that if any of the principal officers of a government should resign his post and within one month accept another, he need not vacate his seat in parliament. Cartier and Macdonald, therefore, had themselves and their colleagues sworn into a set of offices they had no intention of keeping, resigned at once, and then were sworn into those they had held previously. The device became known popularly as the "Double Shuf-fle". It was another sign of the weakness of governments, in the spread of sectional troubles.

29. Proposal to unite the British North American colonies, 1858

This article, published in the Conservative "Colonist", February 25, 1858, was significant in outlining a scheme for the union of the province of Canada with the other British North American colonies. At the end of the long, troubled session of parliament in August, Head announced in his prorogation speech that the government intended to pursue the matter of union and initiate discussions with the Colonial Office and the Maritime provinces. It offered a possible way out of the difficulties of the existing Canadian union.

In 1791 in accordance with the provisions of the Constitutional Act, the old province of Quebec was divided into Upper Canada and Lower Canada. Upper Canada, which now forms a portion of the present province of Ontario, was to have a Legislative Assembly and the meeting place chosen for this body was Newark (now Niagara-on-the-Lake).

The representatives from the nineteen electoral counties were summoned to meet on 17 September, 1792. While it is known that the provincial parliament was opened by Lieutenant-Governor John Graves Simcoe on the appointed day, the exact building used is still a matter of conjecture. Latest historical evidence would indicate the old Freemasons Hall as being the probable site. However, the question has never been satisfactorily settled.

Certainly sessions of the Legislative and Executive Councils were held in Simcoe's headquarters, Navy Hall, and it appears that the Legislative Assembly met for some sessions in the newly renovated Butler's Barracks or adjacent "sheds". However, it would be impossible to designate one structure as the first Parliament Building.

In 1793 Simcoe decided, for reasons of strategic defence, to move the seat of government further away from the U.S. border, and nominated Toronto (soon re-named York) as the future meeting place.

The site of the new Parliament Buildings was located at the foot of what is still, for that reason, called Parliament Street. Two frame structures were completed in 1796 and in June, 1797, they were first used for meetings of the Legislative Assembly. During the latter year, two one-storey brick buildings were constructed adjacent to the wooden ones that were originally intended as wings for a larger central structure. These were used by the provincial parliament until their destruction by fire in April, 1813, during the American occupation of York.

New, two-storey buildings of brick and stone were erected on the same site, 1818 - 1820, parliament meanwhile sitting in improvised quarters elsewhere. These new buildings were accidentally burnt on 30 December, 1824. Sessions were held in the York General Hospital, 1825 - 1828, and 1829 - 1832 in the old Court-House. New parliament buildings, facing onto Front Street and bounded on the east and west by Simcoe and John Streets, were completed in 1832.

In 1841, after the Act of Union came into effect, Upper and Lower Canada once again became one province and the separate legislatures ceased to exist. The site of the capital was moved to Kingston pro tem, and the Legislative Assembly of the Province of Canada met there 1841 - 1843. The seat of government was then moved to Montreal in the expectation that it would be an ideal capital, and it served as such from 1845 - 1849. Ultimately a perambulatory system came into effect, and the Assembly sat at Toronto, 1850-51 and 1856-59, and at Quebec City, 1852-55 and 1860-65 pending a decision regarding a permanent seat of government. In 1858 Ottawa was finally chosen by Queen Victoria as a permanent site and the first session of the Legislative Assembly took place there in 1866.

The parliament buildings in Toronto had lain vacant between 1841 and 1849 except for brief occupancy as an asylum. From 1861 - 1867 they were used as a barracks.

Following Confederation in 1867, the new Legislative Assembly of Ontario met here. However, by 1880 these buildings on Front Street had become totally inadequate. An architect from Buffalo, N.Y., R.A. Waite, was commissioned to design new buildings for a site in Queen's Park formerly occupied by King's College. Construction began in 1886 and the buildings were largely occupied by the end of 1892. A formal dedication ceremony took place in April, 1893.

This massive edifice, now known as the Main Parliament Building, is still used as the meeting place of the Legislative Assembly, and its curious mixture of architectural styles and ornamentation have made it a landmark in Ontario.

"The Achievement of Confederation"

During the 1850's the union of the two Canadas, while making much economic progress, had begun increasingly to run into political problems. These partly stemmed from different views on matters of public education and church-and-state relations as between English-speaking Canada West and predominantly French Canada East. While previously the two sections could work in common toward responsible government, now their differences rose to the fore. The result was that existing party alliances were strained, governments became increasingly insecure, and the whole union threatened to break down in deadlock, with one section blankly opposing the other.

Thus it grew increasingly apparent that a basic change was necessary in the structure of the Canadian union. Some advocated representation according to population, to allow Canada West, which had the bigger population after 1850, to hold the larger number of seats in parliament. This, it was argued, would do justice to Canada West's growing lead in numbers and end the frustrating situation of having two equal sectional blocks in the union legislature. But others agreed that this would equally do injustice to French interests in Canada East; and they opposed the very idea of representation by population.

In time, indeed, the solution which came more and more to appeal to parties and individuals in both Canadas was that of federal union. This plan would take sectional matters and particular interests out of the sphere of union politics and put them under local legislatures for each of Canada East and Canada West, while keeping matters of common concern under a general legislature — in which, moreover, the principle of representation by population might safely be applied. And so federation offered a way out of the existing Canadian union's discords, while still keeping its parts together. It is notable that the parties and most people in both sections seemed to conclude that if Canadians could no longer live together on the old basis, neither could they live apart. For the common history, institutions and economic development they had shared together seemed to make a separation inconceivable.

At the same time, the possibility of a new, far broader union was rising all across British North America. The other colonies, which like Canada had now gained responsible government, were growing ready to consider the idea of a general federal union or Confederation. A federal union would allow the Atlantic provinces to join with much bigger Canada yet keep their own provincial parliaments and institutions. It would allow the British territories of the vast West beyond the province of Canada to be added to the federation, until it reached from the Atlantic to the Pacific.

1.   Sir Edmund Head's memorandum on federation, 1858

Sir Edmund Head, the Governor General, prepared a draft memorandum on federation of the provinces. In September, 1858, a Canadian minute-of-council called for a conference on general federation and was circulated to the Colonial Office and the Maritime provinces. Later that month three members of the Conservative government. Cartier, Galt and Ross, prepared to leave for England to discuss the proposal with the British authorities. The Colonial Office politely rejected the scheme. However, it did establish on public record the fact that federation was official Canadian Cabinet policy and admit the "very grave difficulties" in "conducting the Government of Canada". Thus an important step towards Confederation had been taken.

In the 1860's the Confederation movement took definite shape. Following several great conferences among the colonies, a decisive scheme of union was put forward and enacted by the British parliament in the British North America Act of 1867. There were at the start only four provinces within the federal union thus set up: Nova Scotia, New Brunswick, Quebec and Ontario, into which the old Province of Canada had now been divided. But provision was made for the admission of further provinces to east and west beyond Canada — the name now applied to the whole federal union. By 1870 Manitoba had been set up and brought in; the next year the entry of British Columbia extended Canada to the Pacific. In 1873 Prince Edward Island, which had turned against the original Confederation proposals, also joined the union. Alberta and Saskatchewan would not appear until 1905, when western settlement had sufficiently advanced; Newfoundland did not come in until 1949. But

in a general sense, the Confederation achieved in 1867 was the crucial step in building a great new transcontinental state across North America.

And in a particular sense, the year 1867 also established the present province of Ontario within the Canadian union. Thereafter the people of Ontario would look to parliamentary institutions both as citizens of Canada and as citizens of their own province. The federal government and parliament set up under the Act of 1867 would deal with matters of general, national interest; the provincial government and legislature with matters closer to home, but still very significant, set forth in a list of powers specified in the British North America Act.

Thenceforth, then, our story concerns the parliamentary heritage as it has continued to live and develop within the Province of Ontario. But it should be remembered that Ontario's parliamentary institutions lie in a direct, unbroken line of descent, that extends back through Canada West to early Upper Canada, to the British parliaments that developed the cabinet system; to the seventeenth century struggles of the House of Commons against despotic power; to the Middle Ages in England that evolved the basis of the parliamentary system - and even to the remote gatherings of the Witan in Anglo-Saxon times.

2.   Reform Party's resolutions on federation, 1859. The "Globe", 11 November, 1859

A great convention of the Reform or Liberal Party was held in Toronto's St. Lawrence Hall. One of the principal items to be discussed was federation. After a great deal of discussion, a ringing declaration made in a speech by George Brown swayed the delegates and produced an almost unanimous vote in favour of federal union of the two Canadas with which other colonies might join. This was another major step towards the achievement of Confederation: now both Conservatives and Liberals had taken up the idea of union based on the federal principle.

3.   The Charlottetown and Quebec Conferences, 1864

By 1864 the "very grave difficulties" in governing Canada convinced the leaders of the parties that federal union was the only practical and immediate solution to the problem. During the course of the year the Maritime provinces had planned to meet at Charlottetown to discuss a union of their own, and the Canadians had asked to send a delegation to present the idea of a broader union. In order to further the cause of federal union, the Canadian government had been reconstituted as a coalition in which George Brown agreed to join with his political arch-enemy John A. Macdonald. The Canadian delegation to Charlottetown included several members of the coalition Cabinet, Brown, Campbell, Cartier, Galt, Macdonald, McDougall and McGee. At the conference the Canadian proposal for federation completely overshadowed the original proposal for which the meeting had been called, and subject to certain terms being met, the Maritime delegations agreed that it was a desirable objective. Shortly afterwards it was agreed to call a full conference at Quebec City in October of that year to consider a plan in detail.

This great conference, one of the most important in Canada's history, opened at Quebec City on 10 October. Sir Etienne Paschal Taché was installed as chairman, Hewitt Bernard as secretary. John A. Macdonald introduced the scheme for federal union and after long discussion, his resolution was carried unanimously. This first step was merely a beginning and after many more days of debate, the delegates agreed to 72 resolutions embodying aspects of federal and provincial government. The final resolution authorized the delegates to submit the agreement to their respective governments and the chairman to the Governor General for submission to the Colonial Office.

Mural: The delegates attending the Quebec Conference. A key identifying each delegate appears opposite.

4.   The Confederation resolution before Parliament, 1865

Following the general agreement between the provinces, reached at the Quebec Conference, the plan was put before the Canadian parliament. Macdonald opened the discussion by proposing that an address be presented to the Queen asking that the Imperial Parliament enact a measure "uniting the Colonies of Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island . . ."

His opening speech, made on 5 February, 1865,
precipitated the great "Confederation
Debates". Macdonald, as always, here insisted
that the union should be based on a strong cen-
tral government, rather than a weak one with
powerful provincial authorities. In 1866,
delegations composed of representatives from
Canada, New Brunswick and Nova Scotia went
to London to make the last amendments to the
Quebec proposals. The resulting London
resolutions, numbering 69, then became the
basis for a bill in the Imperial Parliament
that would carry the Confederation scheme in-
to effect.

5.   The British North America Act, 1867

This great act, the cornerstone of Canada's
federal constitution, had its troubles in the
British Houses of Parliament. The British
government was facing a serious crisis over
electoral reform and it was principally owing to
the insistence of the Colonial Secretary, Lord
Carnarvon, that the B.N.A. Bill was given con-
sideration. It was presented first in the House
of Lords, passed on February 26, and was sent
to the Commons. There it did receive some
severe criticism, although most of the members
spoke strongly in favour of the bill and it
passed third reading on March 8.

6.   Proclamation uniting Canada, Nova
Scotia and New Brunswick into the
Dominion of Canada, 1867

This proclamation , issued by Queen Victoria
on 22 May, 1867, designated July 1 as the date
when the British North America Act would
come into operation, and named represen-
tatives from each of the provinces to form the
new federal Upper House, known as the
Senate. Shortly before the Act was to take ef-
fect, John A. Macdonald was rewarded with a
knighthood for his services, and was asked to
form the first government of the Dominion of
Canada. He thus became this country's first
prime minister.

7.   Map of the Dominion of Canada, the
Northwest and Hudson Bay Territories,
1868

8.   The Fathers of Confederation from
Canada West (now Ontario)

Appearing from left to right are: William Mc-
Dougall, Oliver Mowat, Alexander Campbell,
James Cockburn, George Brown, John A.
Macdonald and William P. Howland.

Report of Resolutions
adopted at
A Conference of Delegates
from the
Provinces of Canada Nova Scotia and New Brunswick

and the Colonies of Newfoundland and Prince Edward Island held

at the City of Quebec tenth day of October one thousand eight hundred and sixty four

as the Basis of a proposed confederation of those Provinces and Colonies.

One — The best interests and present and future prosperity of British North America will be promoted by a Federal Union under the Crown of Great Britain provided such Union can be effected on principles just to the several Provinces

Two — In the Federation of the British North American Provinces the system of Government best adapted under existing circumstances to protect the diversified interests of the several Provinces and secure efficiency harmony and permanency in the working of the Union would be a general government charged with matters of common interest to the whole country and local Governments for each of the Canadas and for the Provinces of Nova Scotia New Brunswick and Prince Edward Island charged with the control of local matters in their respective sections provision being made for the admission into the Union on equitable terms of Newfoundland the North West Territory British Columbia and Vancouver

Three — In framing a Constitution for the general government the Conference with a view to the perpetuation of our connexion with the Mother Country and to the promotion of the best interests of the people of these Provinces desire to follow the model of the British constitution so far as our circumstances will permit

Four — The Executive Authority or government shall be vested in the Sovereign of the United Kingdom of Great Britain and Ireland and be administered according to the well understood principles of the British Constitution by the Sovereign personally or by the Representative of the Sovereign duly authorised

Five — The Sovereign or Representative of the Sovereign shall be Commander in Chief of the Land and Naval Militia Forces

Six — There shall be a General Legislature or Parliament for the Federated Provinces composed of a Legislative Council and a House of Commons

Seven — For the purpose of forming the Legislative Council the Federated Provinces shall be considered as consisting of three divisions First Upper Canada Second Lower Canada Third Nova Scotia New Brunswick and Prince Edward Island each division with an equal representation in the Legislative Council

Eight — Upper Canada shall be represented in the Legislative Council by twenty four Members Lower Canada by twenty four Members and the three Maritime Provinces by twenty four Members of which Nova Scotia shall have ten New Brunswick ten and Prince Edward Island four Members

Quebec Resolutions 1865 — See section 5, No. 3

INTERNATIONAL CON...

OF DELEGATES OF THE LEGISLATURES OF CANADA, NOVA SCOTIA,

TO SETTLE THE BASIS OF A UNION OF THE BRITISH

27   31   24   5   17   14   20   9
29   6   4   2   23   10

CANADA

1. Hon. Sir Etienne Taché, M.L.C., Receiver General and Minister of Militia.
2. Hon. J.A. Macdonald, M.P.P., Attorney General, C.W.
3. Hon. George E. Cartier, M.P.P., Attorney General, C.E.
4. Hon. George Brown, M.P.P., President of Executive Council.
5. Hon. O. Mowatt, M.P.P., Postmaster General.
6. Hon. A.T. Galt, M.P.P., Minister of Finance.
7. Hon. J.C. Chapais, M.P.P., Commissioner of Public Works.
8. Hon. H.L. Langevin, M.P.P., Solicitor General, C.E.
9. Hon. J. Cockburn, M.P.P., Solicitor General, C.W.

NOVA SCOTIA

10. Hon. C. Tupper, Provincial Secretary, N.S.
11. Hon. W.A. Henry, Attorney General, N.S.
12. Hon. J. McCully, M.L.C., Leader of the Opposition, N.S.
13. Hon. R.B. Dickey, M.P.P., N.S.
14. Hon. A.G. Archibald, M.P.P., N.S.

NEW BRUNSWICK

15. Hon. S.L. Tilley, Provincial and Financial Secretary, N.B.
16. Hon. W.H. Steeves, M.L.C., Member of the Executive Council, N.B.
17. Hon. J.M. Johnson, Attorney General, N.B.
18. Hon. E.B. Chandler, M.L.C., N.B.
19. Lt. Col. Hon. J.H. Gray, M.P.P., N.B.
20. Hon. C. Fisher, M.P.P.

NTION AT QUEBEC.

BRUNSWICK, PRINCE EDWARD'S ISLAND AND NEWFOUNDLAND,

AMERICAN PROVINCES, OCTOBER 27TH, 1864.

Photographed by Lave

| 1 | 25 | 8 | 26 | 13 | 22 | 21 | 30 | 28 |
| | 15 | 3 | 12 | 18 | 16 | | 19 | |

NEWFOUNDLAND

21. Hon. F.B.T. Carter, Speaker of the Legislative Assembly, N.F.
22. Hon. J.A. Shea, Leader of the Opposition, N.F.

PRINCE EDWARD ISLAND

23. Col. the Hon. J.H. Gray, Leader of the Government, P.E.I.
24. Hon. E. Palmer, Attorney General, P.E.I.
25. Hon. W.H. Pope, Provincial Secretary, P.E.I.
26. Hon. A.A. McDonald, M.L.C., P.E.I.
27. Hon. G. Coles, M.P.P., Leader of the Opposition
28. Hon. J.H. Haviland, M.P.P., P.E.I.
29. Hon. E. Whelan, M.P.P., P.E.I.
30. H. Bernard, Secretary of the Conference.

"Parliamentary Government in Ontario"

This final section outlines main features of the parliamentary system as it has grown in the modern province of Ontario between Confederation and the present. It deals with the powers and symbols of the province, the development of its electoral system, and the establishment of full democracy, based on universal suffrage, or the right of every adult man and woman to vote. It also sets forth the modern machinery of government, describing the functions of the different departments staffed by civil servants and officials, which look after the public business of the province under parliament's direction.

Ontario, like Canada, has gone a great distance since the first Ontario legislature after Confederation met in the old Parliament Buildings on Front Street, Toronto, in 1867. But though much has been added, much has been kept and cherished of all that past generations have achieved for us — above all, the pattern of parliamentary freedom.

1.   A composite picture of the members of the first Legislative Assembly of Ontario

On the proclaiming of the British North America Act, which created the Province of Ontario, as well as the new federal Canadian Dominion, steps were taken to form the first provincial government. Major-General Henry William Stisted was sworn in as Provisional Lieutenant-Governor on 8 July, 1867 and called on Honourable John Sandfield Macdonald to form a Cabinet. It was thought advisable to construct a government on a no-party basis. The resulting Cabinet, a coalition of Liberals and Conservatives, or "Patent Combination" as it became known, included: Honourable John Sandfield Macdonald, Prime Minister and Attorney General; Honourable John Carling, Commissioner of Agriculture and Public Works; Honourable Stephen Richards, Commissioner of Crown Lands; Honourable Matthew Crooks Cameron, Secretary and Registrar of the Province; and Honourable Edmund Burke Wood, Provincial Treasurer.

An election was held in the late summer of 1867. The coalition government was returned to office, and the Legislature held its first meeting on December 27.

2.   The B.N.A. Act: Section pertaining to Ontario

Under the terms of this Act, areas of legislative power are apportioned between the federal and provincial governments. Those matters within provincial jurisdiction are: amendment of the constitution of the province; direct taxation within the province; borrowing of money on the sole credit of the province; establishment and tenure of provincial offices and the appointment and payment of provincial officers; management and sale of public lands belonging to the province; establishment, maintenance and management of hospitals, asylums, charities and eleemosynary institutions; municipal institutions; shop, saloon, tavern, auctioneer and other businesses; local works and undertakings, incorporation of companies with provincial objects; solemnization of marriage; property and civil rights; administration of justice; imposition of punishment by fine, penalty or imprisonment for enforcing any law of the province made relative to any matter named in this section, generally all matters of a merely local or private nature in the province. In addition, the provinces are given exclusive power over education, while certain matters such as agriculture and immigration may be dealt with concurrently by the two levels of government.

3.   (a)   Ontario's Coat of Arms

The Dominion and the provinces were granted armorial bearings by Royal Warrant dated 26 May, 1868. Ontario's shield was described in heraldic terms as: "Vert, a Sprig of three leaves of Maple slipped or, on a chief Argent the Cross of St. George". Supporters and a motto were added by Royal Warrant dated 27 February, 1909.

(b)   Ontario's Great Seal

Immediately following Confederation, a seal was sent out by the British government for the use of Ontario "for the sealing of all things whatever which should pass the Great Seal of the Dominion . . ." This was in use until 1869. That year, on December 29, an Ontario Order in Council authorized the use of the new seal "appointed by Her Majesty for this province in lieu of the one in use since the first of July, 1867". Adopted on 1 January, 1870, this Great Seal is still in use today.

BY THE QUEEN.

A PROCLAMATION

For Uniting the Provinces of Canada, Nova Scotia, and New Brunswick into One Dominion under the Name of CANADA.

VICTORIA R.

WHEREAS by an Act of Parliament passed on the Twenty-ninth Day of March One thousand eight hundred and sixty-seven, in the Thirtieth Year of Our Reign, intituled "An Act for the Union of Canada, Nova Scotia, and New Brunswick, and the "Government thereof, and for Purposes connected therewith," after divers Recitals, it is enacted, that "it shall be lawful for the Queen, by and with the Advice of Her Majesty's most Honorable "Privy Council, to declare by Proclamation that on and after a Day therein appointed, not being "more than Six Months after the passing of this Act, the Provinces of Canada, Nova Scotia, and "New Brunswick shall form and be One Dominion under the Name of Canada, and on and after "that Day those Three Provinces shall form and be One Dominion under that Name accordingly:" And it is thereby further enacted, that "such Persons shall be first summoned to the Senate as "the Queen, by Warrant under Her Majesty's Royal Sign Manual, thinks fit to approve, and "their Names shall be inserted in the Queen's Proclamation of Union:" We therefore, by and with the Advice of Our Privy Council, have thought fit to issue this Our Royal Proclamation, and We do Ordain, Declare, and Command, that on and after the First Day of July One thousand eight hundred and sixty-seven the Provinces of Canada, Nova Scotia, and New Brunswick shall form and be One Dominion under the Name of Canada. And We do further Ordain and Declare, that the Persons whose Names are herein inserted and set forth are the Persons of whom We have, by Warrant under Our Royal Sign Manual, thought fit to approve as the Persons who shall be first summoned to the Senate of Canada.

FOR THE PROVINCE OF ONTARIO.	FOR THE PROVINCE OF QUEBEC.	FOR THE PROVINCE OF NOVA SCOTIA.	FOR THE PROVINCE OF NEW BRUNSWICK.
JOHN HAMILTON,	JAMES LESLIE,	EDWARD KENNY,	AMOS EDWIN BOTSFORD,
RODERICK MATHESON,	ASA BELKNAP FOSTER,	JONATHAN M'CULLY,	EDWARD BARRON CHANDLER,
JOHN ROSS,	JOSEPH NOËL BOSSÉ,	THOMAS D. ARCHIBALD,	JOHN ROBERTSON,
SAMUEL MILLS,	LOUIS A. OLIVIER,	ROBERT B. DICKEY,	ROBERT LEONARD HAZEN,
BENJAMIN SEYMOUR,	JACQUE OLIVIER BUREAU,	JOHN H. ANDERSON,	WILLIAM HUNTER ODELL,
WALTER HAMILTON DICKSON,	CHARLES MALHIOT,	JOHN HOLMES,	DAVID WARK,
JAMES SHAW,	LOUIS RENAUD,	JOHN W. RITCHIE,	WILLIAM HENRY STEEVES,
ADAM JOHNSTON FERGUSON BLAIR,	LUC LETELLIER DE ST. JUST,	BENJAMIN WIER,	WILLIAM TODD,
ALEXANDER CAMPBELL,	ULRIC JOSEPH TESSIER,	JOHN LOCKE,	JOHN FERGUSON,
DAVID CHRISTIE,	JOHN HAMILTON,	CALEB R. BILL,	ROBERT DUNCAN WILMOT,
JAMES COX AIKINS,	CHARLES CORMIER,	JOHN BOURINOT,	ABNER REID M'CLELAN,
DAVID REESOR,	ANTOINE JUCHEREAU DUCHESNAY,	WILLIAM MILLER.	PETER MITCHELL.
ELIJAH LEONARD,	DAVID EDWARD PRICE,		
WILLIAM MACMASTER,	ELZEAR H. J. DUCHESNAY,		
ASA ALLWORTH BURNHAM,	LEANDRE DUMOUCHEL,		
JOHN SIMPSON,	LOUIS LACOSTE,		
JAMES SKEAD,	JOSEPH F. ARMAND,		
DAVID LEWIS MACPHERSON,	CHARLES WILSON,		
GEORGE CRAWFORD,	WILLIAM HENRY CHAFFERS,		
DONALD MACDONALD,	JEAN BAPTISTE GUÉVREMONT,		
OLIVER BLAKE,	JAMES FERRIER,		
BILLA FLINT,	Sir NARCISSE FORTUNAT BELLEAU, Knight,		
WALTER M'CREA,	THOMAS RYAN,		
GEORGE WILLIAM ALLAN.	JOHN SEWELL SANBORN.		

Given at Our Court at Windsor Castle, this Twenty-second Day of May, in the Year of our Lord One thousand eight hundred and sixty-seven, and in the Thirtieth Year of Our Reign.

God save the Queen.

Proclamation Uniting Canada, Nova Scotia and New Brunswick into the Dominion of Canada, 1867 — See section 5, No. 6

(c)   Ontario's flag

During the province's history a number of different flags have flown over Ontario.
However, it was in 1965 that the Legislative Assembly passed a Bill authorizing the use of a specially designed provincial flag.

4.   The Elections Act, 1869

Following the establishment of the present province of Ontario a number of significant statutes were passed in the Legislative Assembly relating to provincial matters, and one of these concerned the election of members of that body. The Act has been amended from time to time in keeping with the evolvement of the parliamentary system of government in Ontario. As a part of this system it is interesting to note that the province since Confederation has had seventeen ministries. Of these eight were Conservative or Progressive Conservative, seven were Liberal, one was a coalition and one was formed by the United Farmers of Ontario.

5.   Abolition of Dual Representation Act, 1872

This Bill passed in the Assembly in 1872 during the administration of the Honourable Edward Blake, prohibited the existing practice of dual representation, making it impossible for a member of the provincial Legislative Assembly to be at the same time a member of the federal House of Commons. Its immediate effect was the loss of many prominent politicians from the provincial scene, including Edward Blake, Alexander Mackenzie and John Carling.

6.   The Ballot Act, 1874

This Bill introduced secret voting by means of the privacy of the secret ballot into Ontario for the first time. Previously elections had been held openly, with voters expressing their preference for candidates in full view. This practice quite often produced very unruly scenes between opposing political factions, frequently accompanied by violence and occasionally bloodshed. A Ballot Act had been passed in England two years previously, and this Bill was used as the Model for Ontario's legislation during the administration of the Honourable Oliver Mowat. The secret ballot was introduced for Dominion elections also in 1874.

7.   The Manhood Suffrage Act, 1888

The right to vote for a candidate seeking election to the provincial Assembly had, since the first election held in 1792, been based on the English tradition of ownership or occupancy of real property of a certain value. This restricted the full expression of the people's wishes, and during the Mowat administrations steps were taken to broaden the franchise. In 1877 it was extended to cover farmers' sons resident on their parents' farm. In 1885 there were enfranchised: owners, tenants or occupants of real estate to the value of $200 in cities and $100 in townships and villages; persons in receipt of $250 p.a. by way of income or as wages; persons entered on the assessment roll as "householders"; sons of landholders resident with their parents and assessed as such; enfranchised Indians or persons with part Indian blood otherwise qualified and not residing among Indians, though sharing in the tribal income. In 1888, with the passing of the Manhood Suffrage Act, income and property qualifications were abolished and all male citizens of twenty-one or over, with certain exceptions, were permitted to vote.

8.   The Women Suffrage Act, 1917

The movement for political equality began in Canada in the 1880's and reached its peak during World War I. It closely paralleled similar movements in Britain and the United States. Manitoba , Saskatchewan and Alberta all granted women the right to vote in provincial elections in 1916, and the following year British Columbia and Ontario passed similar legislation. In 1919 women in Ontario were also given the right to hold office. However, it was not until 1943 that a woman became a member of the Legislative Assembly of Ontario. In that year Miss Agnes Macphail and Mrs. Rae Luckock, both members of the C.C.F. Party, were elected for the ridings of East York and Bracondale respectively.

It might be noted that for federal elections the Dominion had at first accepted the franchises prescribed in the provinces, but set up its own requirements as time went on. In 1920 it established a fully federal franchise, both men and women voting at the age of 21.

The Ministries of the Government of Ontario

The Government of Ontario is based on the British parliamentary system. It is made up of

CHAPTER 5.

An Act to provide for the preparation of Lists of Voters at Elections to the Assembly.

Assented to 12th April, 1917.

H IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Ontario Franchise Act, 1917,* and shall come into force on a day to be named by the Lieutenant-Governor by his proclamation.

Interpretation. **2.** In this Act,

" Board." (a) " Board " shall mean Voters' Registration Board;

" Prescribed." (b) " Prescribed " shall mean prescribed by regulations made by the Lieutenant-Governor in Council under the authority of this Act.

Application of Act. **3.** Part I of this Act shall apply to every town, village and township municipality in Ontario and except as modified by Part II shall apply to every city in Ontario, and Part II of this Act shall apply to every city and to every town, being a county or district town, having a population of nine thousand or over, according to the last census of the Dominion of Canada and for the purposes of this Act every such town shall be deemed a city.

PART I.

Who may be entered on list. **4.**—(1) Subject to the provisions hereinafter contained every man and every woman of the full age of 21 years, a subject of His Majesty by birth or naturalization, and not disqualified under *The Ontario Election Act,* and not otherwise **Manhood suffrage and women voters.** by law prohibited from voting and whose name is not entered on any list of voters which may be used at an election to the Assembly for the municipality in which he or she is otherwise qualified to vote, shall be entitled to be entered on the list of voters to be prepared under this Act for the polling subdivision in which he or she resides, if such person,

(a)

For the Province of Ontario
tert a sprig of three leaves of maple
slipped Or on a chief argent the
Cross of St George.
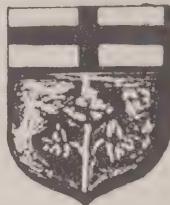
For the Province of Quebec
Or on a Fess Gules between two Fleurs de Lis
in Chief Azure and a sprig of three
leaves of maple slipped vert in base a Lion
passant guardant or

For the Province of Nova Scotia
Or on a Fess wavy azure between three
Thistles proper a salmon naiant argent

For the Province of New Brunswick or
on waves a Lymphad or ancient Galley, with
oars in action proper on a chief gules a Lion
passant guardant or as the same are
severally depicted in the margin hereof
to be borne for the said respective Provinces on
seals, shields, banners, Flags or otherwise
according to the Laws of Arms

Coats-of-Arms of Ontario, Quebec, Nova Scotia and New Brunswick — See section 6, No. 3(a)

the Queen's representative (the Lieutenant Governor) the Executive Council and the Legislative Assembly (the provincial parliament).

Following each general election, the Lieutenant Governor invites the leader of the party with the most elected members to become premier and form a government.

The Premier chooses an Executive Council. These members are called ministers, and they make up the Cabinet of the Ontario Government. All ministers are elected members of the Legislative Assembly.

Most are in charge of a ministry and as a result are responsible for some aspect of life in this province, for example, labour, energy, health, environment, etc.

The ministry is the basic unit of government. All ministers are responsible to the Legislative Assembly for their ministries and the provincial agencies under their jurisdiction.

Ministries are grouped by common concerns into four committees of Cabinet, or policy fields. They are the Social Development Policy field, the Resources Development Policy field, the Justice Policy field and the Cabinet Co-ordinating Committee.

The following is a grouping of the ministries by policy field, and a description of each ministry.

The Social Development Policy Field;
Education
Health
Colleges and Universities
Community and Social Services
Culture and Recreation

The Justice Policy Field;
Attorney General
Correctional Services
Consumer and Commercial Relations
Solicitor General

Resources Development Policy Field;
Labour
Energy
Housing
Agriculture and Food
Transportation and Communications
Environment
Industry and Tourism
Natural Resources

Cabinet Co-ordinating Committee;
Treasury
Management Board
Government Services
Revenue

Education:

This ministry's goal is to provide equal educational opportunity for all students from kindergarten to grade 13. To achieve this, the ministry develops educational policies for all Ontario schools, makes grants to school boards which cover more than half the total cost of elementary and secondary education in Ontario and sets the standards for the training and qualification of Ontario teachers.

Health:

This is the largest of the provincial ministries. Its fundamental goal is to bring to the people of Ontario a comprehensive basic program of health services at an acceptable cost. Agencies reporting to the minister include: the Ontario Council of Health, the Health Disciplines Board, the Addiction Research Foundation, the Ontario Mental Health Foundation, the Cancer Treatment and Research Foundation and the Ontario Cancer Institute.

Colleges and Universities:

This ministry is composed of three major divisions - university affairs, college affairs and manpower training and common services.

University affairs administers support funds to the 15 provincially-assisted universities, as well as to Ryerson Polytechnical Institute and the Ontario College of Art.

College affairs and manpower training provides support for the 22 community colleges and for industrial training and apprenticeship programs.

Common services provides administrative support services to the ministry and administers a number of programs to provide financial assistance to students.

Community and Social Services:

This ministry administers and initiates programs and services to help individuals maintain a satisfactory standard of living in Ontario.

It specifically is concerned with income security for the needy, aid for the elderly, developmental programs for the retarded, child welfare and day nurseries, rehabilitation and job training for the handicapped and special residential programs.

The ministry works with social service agencies and municipalities, offering guidance and financial assistance.

Culture and Recreation:

This ministry provides leadership and support for the preservation of historic sites, sports and fitness, libraries and the arts, community information centres, culture, multiculturalism and citizenship.

This ministry also supports public institutions such as the Royal Ontario Museum, the Ontario Science Centre, the Royal Botanical Gardens, the Art Gallery of Ontario, the Ontario Heritage Foundation, the McMichael Canadian Collection and the Ontario Educational Communications Authority.

The Ontario Lottery Corporation operates a provincial lottery to assist the ministry with funds for cultural and recreational programs.

Attorney General:

This ministry provides for the direction and supervision of the administration of justice in the province.

Correctional Services:

This ministry has jurisdiction over adult offenders sentenced to institutional terms of less than two years, juveniles admitted to training school by the Provincial Court (Family Division), and all adults and juveniles who receive a term of probation.

On any given day, the ministry has in its care 24,000 adults, 5,000 of whom are in institutions, and 8,000 juveniles, 800 of whom are in training schools.

Innovative programs have been introduced in the past few years which involve the community's participation in and acceptance of the ministry's operations. These are the Temporary Absence Program and the Community Resource Program for adults, and group homes for juveniles.

Consumer and Commercial Relations:

This ministry was established to ensure that ethical standards of commerce are met in all business dealings in the province, be they with individuals or corporations.

The ministry is responsible for licensing, registration and inspection of corporations and their personnel.

The Solicitor General:

This ministry is concerned with the related programs of law enforcement and public safety.

The agencies and programs for which it is responsible include the Ontario Police Commission, which co-ordinates the province's police service, the Ontario Provincial Police, the Office of the Fire Marshal, the Chief Coroner's Office, the Centre of Forensic Sciences, and the Forensic Pathology Branch.

Labour:

This ministry's aims are to advance the well-being of employees and employers by promoting the productive use of labour.

Legislation administered and enforced by the ministry covers such areas as the rights and responsibilities of the individual worker, the rights and obligations of management and labour unions, the safeguarding of labour and safety standards and protection against discrimination.

Energy:

This ministry is responsible for the implementation of provincial energy policy which is designed to ensure that Ontario receives an adequate and secure supply of energy at reasonable prices with an acceptable environmental impact.

The Minister of Energy also answers to the Legislature for the policies of the Ontario Energy Board and the Ontario Energy Corporation. However, both organizations function independently.

Housing:

This ministry is responsible for overseeing the provision of adequate housing at affordable prices, constructed within a sound planning framework. It operates a series of programs

aimed at, among other things, bringing more serviced land into production, improving existing housing, and reducing the financial obstacles of potential home buyers.

Through its rent-geared-to-income programs, the ministry provides suitable housing for families and senior citizens with low or moderate incomes.

The ministry controls approval of new subdivisions and provides a number of planning and housing services of assistance to municipalities.

Agriculture and Food

This ministry is responsible for ensuring the well-being of the agricultural community so that farmers may continue to produce an adequate supply of high quality food.

The ministry extends practical and financial assistance to farmers to improve their techniques, rehabilitate their land and upgrade their livestock and crops.

Through promotion programs and legislation, the ministry plays an important role in marketing Ontario farm products at home and abroad.

Research and education programs to improve agricultural products and practices are carried out at colleges of agricultural technology, laboratories, research institutes and universities, either by the ministry or with ministry financing.

Other ministry programs help ensure the stability of farm income and the optimum use of farm lands.

Transportation and Communications:

This ministry is responsible for the provision of a balanced and integrated transportation system within the province, involving highways, commuter rail and bus services, air services and airport facilities and ferry services.

It also is responsible for all aspects of motor vehicle safety and the examination, licensing and control of all drivers and vehicles; the administration of Ontario's telecommunications policy, including developments associated with radio and television broadcasting, telephone and telegraph services and the use of communications satellites.

Environment:

The Ministry of the Environment is responsible for the provision to the public of a wide range of readily available services intended to achieve four major objectives: the control of contaminant emission; the establishment of environmental safeguards; the management of water and waste, and,the development and maintenance of measures intended to restore and enhance Ontario's natural environment.

Industry and Tourism:

The goal of this ministry is to assist in industrial expansion, to encourage new technology, to find more markets for manufacturers and to expand the tourist industry.

Natural Resources:

As custodian of almost 90 per cent of Ontario's land and water, this ministry plans and controls the use, development and enhancement of the province's natural resources, and provides opportunities for outdoor recreation and economic benefit.

Among its responsibilities are supervision of hunting, fishing, mapping, mining, forests, parks, land use planning on Crown land, watershed management, wildlife management, forest fire and flood control.

Treasury, Economics and Intergovernmental Affairs:

This ministry is responsible for fiscal, economic, regional and intergovernmental policies of the government of Ontario. The ministry works closely with other provincial governments, the federal government and Ontario municipalities.

Management Board of Cabinet:

This is not a ministry, but a committee of ministries.

The committee examines the administrative policies and budgets of all ministries in order to prevent overlapping of government programs, or inefficient management of human and natural resources.

The chairman of this committee also is responsible for the Civil Service Commission, which controls recruitment, classification, salary conditions and terms of employment in the Ontario government.

Government Services:

This is a support ministry to all the other ministries and agencies of the Ontario Government. Its services are grouped into three basic programs — accommodation, supply and services, and management and information services.

The accommodation program is responsible for planning and providing the land and buildings which accommodate all government operations throughout the province. Additional responsibilities include the upkeep of accommodation facilities for most ministries and agencies, and the provision of repairs, maintenance and alterations to provincial government buildings.

The ministry purchases goods and services and provides several essential internal administrative services for the government.

The management and information services program provides Ontario Government ministries and agencies with a common source for management consulting, information systems design and extensive computer programming and processing services.

Revenue:

This ministry administers most of Ontario's tax legislation as well as the province's two major income redistribution programs - The Ontario Tax Credit Program and the Guaranteed Annual Income System, benefiting qualifying residents 65 and older. The ministry's assessment division conducts provincial enumerations and assesses all real property in Ontario for the purposes of municipal taxation. The ministry also operates 21 branches of the Province of Ontario Savings Office.

Ontario Civil Service Commission:

The Civil Service Commission is responsible to the minister (Chairman, Management Board of Cabinet) for the administration of The Public Service Act and its regulations. The commission is headed by a full-time chairman and has five part-time members including one from the business community. The commission is responsible for protection of the merit principle in filling public service jobs. It classifies all civil service positions and determines the salaries payable. It appoints qualified personnel to vacancies on the advice of the ministry concerned.

The Chairman of the Civil Service Commission acts as deputy minister to the staff of the commission. He is responsible for advice to the Chairman of Management Board on all personnel matters, including the administration of the Crown Employees Collective Bargaining Act and the negotiation of agreements with employees' organizations under that Act.

Name	Administration (Commenced)	Administration (Concluded)
1. Hon. John Sandfield Macdonald	July 16, 1867	December 19, 1871
2. Hon. E. Blake	December 20, 1871	October 25, 1872
3. Hon. Sir Oliver Mowat	October 25, 1872	July 9, 1896
4. Hon. A.S. Hardy	July 25, 1896	October 17, 1899
5. Hon. G.W. Ross	October 21, 1899	February 7, 1905
6. Hon. Sir J.P. Whitney	February 8, 1905	September 25, 1914
7. Hon. Sir Wm. Howard Hearst	October 2, 1914	November 14, 1919
8. Hon. Ernest Charles Drury	November 14, 1919	July 16, 1923
9. Hon. G.H. Ferguson	July 16, 1923	December 15, 1930
10. Hon. G.S. Henry	December 15, 1930	July 10, 1934
11. Hon. M.F. Hepburn	July 10, 1934	October 21, 1942
12. Hon. G.D. Conant	October 21, 1942	May 18, 1943
13. Hon. H.C. Nixon	May 18, 1943	August 17, 1943
14. Hon. George A. Drew	August 17, 1943	October 19, 1948
15. Hon. T.L. Kennedy	October 19, 1948	May 4, 1949
16. Hon. Leslie M. Frost	May 4, 1949	November 8, 1961
17. Hon. John P. Robarts	November 8, 1961	March 1, 1971
18. Hon. William G. Davis	March 1, 1971	

First Lieutenant-Governor of Ontario: Hon. Henry William Stisted 1867-68
First Speaker: Hon. John Stevenson
First Sergeant-at-Arms: Frederick J. Glackmeyer
First Clerk: Charles Thomas Gillmor

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